



Why the Gates Arrest  
Strikes a Nerve  
By Ta-Nehisi Coates

Has Housing  
Finally  
Hit Bottom?



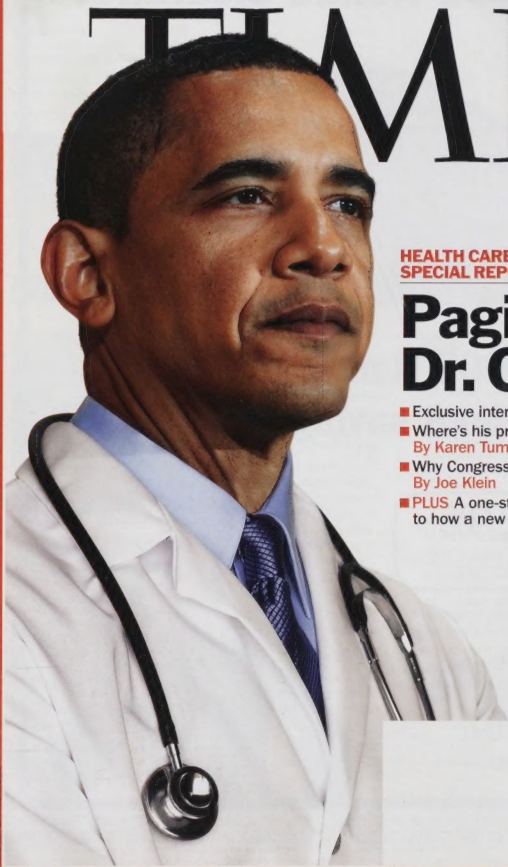
Judd Apatow  
Meets Joel Stein:  
A Fine Bromance

# TIME

HEALTH CARE  
SPECIAL REPORT

## Paging Dr. Obama

- Exclusive interview
- Where's his prescription?  
By Karen Tumulty
- Why Congress can't get it right  
By Joe Klein
- **PLUS** A one-stop graphic guide  
to how a new plan would affect you



# The 2009 Honda Clearance



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(for well-qualified buyers)

Hey folks, it's Honda Clearance time again. And who knows more about saving you money than yours truly. See your Honda dealer today and get a great deal on the most durable<sup>†</sup> and longest-lasting<sup>\*\*</sup> car in its class. The 2009 Civic. And don't forget to tell them Mr. Opportunity sent you.



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**On the cover:** Photo-Illustration for TIME by  
Arthur Hochstein. Head: Brendan Hoffman—EPA.  
Body: Brad Wilson—Getty

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# 10 Questions.

The *Oprah* heart surgeon kicks off his own daily TV show this fall.

## Dr. Mehmet Oz will now take your questions

Americans are constantly being told the benefits of good health practices, yet we get fatter year by year. Is there hope?

Sharon Melnick

WELLINGTON, FLA.

We have, without question, the most educated population in the history of mankind about our bodies. What we don't have is the awareness of why it matters. Without that, you don't have motivation, and without motivation, it doesn't frankly matter.

Heart disease is still the world's No. 1 cause of death. Why do you think that is?

Marvin Quianzon

QUEZON CITY, PHILIPPINES

The heart, our internal metronome—it keeps us pounding. Of all the organs we have, it's always on call. What kills more human beings than anything is hardening of the arteries. With heart disease, we don't have a Plan B.

Many doctors today lack a good bedside manner. How did you acquire such an empathetic demeanor with your patients?

Christine Baker

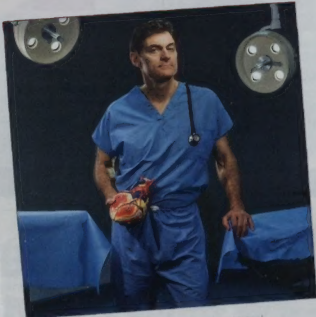
BROWNSBURG, IND.

You learn how to take care of people from the women in your life. My mother was all about unconditional love, and I don't think we give that to our patients a lot. At the end of the day, what they really need you to do is to look at them in the eye and say, "I'm here for you. I'm going to make sure this works out."

What is your best advice for med students in terms of finding a specialty?

Merley Griswold

BIRMINGHAM, ALA.



We have a lot of young doctors who want to be specialists. I think we need more doctors who are general practitioners.

What was the best advice someone gave you while you were in medical school?

Alicia Perry

FLOWER MOUND, TEXAS

"Half of what we will teach you in medical school will, by the time you are done practicing, be proved wrong."

What emerging medical technology do you see as being most successful in the future?

Butch Boyett Jr., SEATTLE

Our ability to look at your genomes and customize the cure you need. What we do now is such a terrible shotgun approach. At least 20% of the

medications we give are probably not the right medications for you or the right doses.

How do you imagine stem-cell technology will be utilized in future medical treatments?

Jared LeMoine

LAKE FOREST PARK, WASH.

I think we'll have drugs within the next few years that will be powerful enough that we will be able to use them for some of the more chronic ailments like Parkinson's and others that we know can be treated by just putting the right cell on the right place to release the right chemical.

What is your daily diet and fitness regimen like?

Cathy Delfino

ENCINITAS, CALIF.

I get up in the morning and do a seven-minute yoga workout. I know the most likely time I'm going to do something is when I first get up, and I make it short because, like you, I don't really want to do that first thing in the morning. Food—I love nuts. I eat them all the time, they're easy to carry around, and I am never hungry all day long.

In your opinion, which country has the most efficient and equitable health-care system?

Donald Gartman

CHARLESTON, S.C.

Switzerland. Everyone has to have coverage. People who do not have insurance who come to the hospital cost a lot more, and they do far worse.

If you were not a doctor, what would you be?

Narendra Trivedi

SANTA CLARA, CALIF.

When I was 7, I was taken into this ice cream shop. There was a 10-year-old in line in front of me, and my father says to this little boy, "What do you want to be when you grow up?" And the little boy says, "I don't know." My father turned to me and said, "I don't care what you want to be in life, but I never want to hear that answer from you. I always want you to have a goal." So I decided in that ice cream shop that I wanted to be a doctor. Later, in high school, I decided I wanted to play pro football. Go figure.



VIDEO AT TIME.COM

To watch a video interview with Dr. Mehmet Oz

and to subscribe to the 10 Questions podcast on iTunes, go to [time.com/10questions](http://time.com/10questions)



## IF YOU HAVE HIGH CHOLESTEROL GET THE INSIDE INFORMATION ON PLAQUE BUILDUP.

High cholesterol is a major factor in plaque buildup in your arteries.

Discover how CRESTOR can help.

- Along with diet, CRESTOR does more than ▼ lower bad cholesterol. It ▲ raises the good
- CRESTOR is also proven to slow the buildup of plaque in arteries as part of a treatment plan to lower cholesterol to goal
- High cholesterol, family history of early heart disease, diabetes, and high blood pressure may play a role in plaque buildup

Talk to your doctor about plaque buildup, and ask if CRESTOR is right for you.

**Important Safety Information about CRESTOR:** In adults, CRESTOR is prescribed along with diet for lowering high cholesterol. CRESTOR is also prescribed along with diet to slow the progression of atherosclerosis (the buildup of plaque in arteries) as part of a treatment plan to lower cholesterol to goal. CRESTOR has not been approved to prevent heart disease, heart attacks, or strokes.

CRESTOR is not right for everyone, including anyone who has previously had an allergic reaction to CRESTOR, anyone with liver problems, or women who are nursing, pregnant, or who may become pregnant. Your doctor will do blood tests before and during treatment with CRESTOR to monitor your liver function. Unexplained muscle pain and weakness could be a sign of a rare but serious side effect and should be reported to your doctor right away. The 40-mg dose of CRESTOR is only for patients who do not reach goal on 20 mg. Be sure to tell your doctor if you are taking any medications. Side effects occur infrequently and include headache, muscle aches, abdominal pain, weakness, and nausea.

Please read the important Product Information about CRESTOR on the adjacent page.

If you're without prescription coverage and can't afford your medication, AstraZeneca may be able to help.

You are encouraged to report negative side effects of prescription drugs to the FDA. Visit [www.FDA.gov/medwatch](http://www.FDA.gov/medwatch), or call 1-800-FDA-1088.

SEE HOW PLAQUE BUILDS  
IN ARTERIES and learn how  
high cholesterol contributes.

LEARN 3 THINGS YOU CAN DO  
to help manage cholesterol and  
slow plaque buildup.

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**CRESTOR®**  
rosuvastatin calcium

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# IMPORTANT INFORMATION ABOUT CRESTOR® (ROSUVASTATIN CALCIUM)

Please read this summary carefully and then ask your health care professional about CRESTOR. No advertisement can provide all the information needed to determine if a drug is right for you. This advertisement does not take the place of careful discussions with your health care professional.

Only your health care professional has the training to help weigh the risks and benefits of a prescription drug.

## WHAT IS CRESTOR?

CRESTOR is a prescription medicine that belongs to a group of cholesterol-lowering medicines called statins. Along with diet, CRESTOR lowers "bad" cholesterol (LDL-C), increases "good" cholesterol (HDL-C), and also slows the progression of atherosclerosis in adults with high cholesterol, as part of a treatment plan to lower cholesterol to goal.

## WHAT IS CHOLESTEROL?

Cholesterol is a fatty substance, also called a lipid, normally found in your bloodstream. Your body needs a certain amount of cholesterol to function properly. But high cholesterol can lead to health problems. LDL-C is called bad cholesterol because if you have too much in your bloodstream, it can become a danger to your health and can lead to potentially serious conditions. HDL-C is known as good cholesterol because it may help remove excess cholesterol. Common health factors such as diabetes, high blood pressure, smoking, obesity, family history of early heart disease, and age can make controlling your cholesterol even more important.

## WHAT IS ATHEROSCLEROSIS?

Atherosclerosis is the progressive buildup of plaque in the arteries over time. One major cause is high levels of LDL-C. Other health factors, such as family history, diabetes, high blood pressure, or if you smoke or are overweight, may also play a role in the formation of plaque in arteries. Often this plaque starts building up in arteries in early adulthood and gets worse over time.

## HOW DOES CRESTOR WORK?

Most of the cholesterol in your blood is made in the liver. CRESTOR works by reducing cholesterol in two ways: CRESTOR blocks an enzyme in the liver causing the liver to make less cholesterol, and CRESTOR increases the uptake and breakdown by the liver of cholesterol already in the blood.

## WHO SHOULD NOT TAKE CRESTOR?

Do not take CRESTOR if you

- are pregnant or think you may be pregnant, or are planning to become pregnant. CRESTOR may harm your unborn baby. If you become pregnant, stop taking CRESTOR and call your health care professional right away
- are breast-feeding. CRESTOR can pass into your breast milk and may harm your baby
- have liver problems
- have had an allergic reaction to CRESTOR or are allergic to any of its ingredients. The active ingredient in rosuvastatin calcium. The inactive ingredients are microcrystalline cellulose, lactose monohydrate, tribasic calcium phosphate, croscopolone, magnesium stearate, hypromellose, tracetin, titanium dioxide, yellow ferric oxide, and red ferric oxide

The safety and effectiveness of CRESTOR have not been established in children.

## HOW SHOULD I TAKE CRESTOR?

- Take CRESTOR exactly as prescribed by your health care professional. Do not change your dose or stop CRESTOR without talking to your health care professional, even if you are feeling well
- Your health care professional may do blood tests to check your cholesterol levels before and during your treatment with CRESTOR. Your dose of CRESTOR may be changed based on these blood test results
- CRESTOR can be taken at any time of day, with or without food
- Swallow the tablets whole
- Your health care professional should start you on a cholesterol-lowering diet before giving you CRESTOR. Stay on this diet when you take CRESTOR
- Wait at least 2 hours after taking CRESTOR to take an antacid that contains a combination of aluminum and magnesium hydroxide
- If you miss a dose of CRESTOR, take it as soon as you remember. However, **do not take 2 doses of CRESTOR within 12 hours of each other**
- If you take too much CRESTOR or overdose, call your health care professional or Poison Control Center right away or go to the nearest emergency room

## WHAT SHOULD I TELL MY HEALTH CARE PROFESSIONAL BEFORE TAKING CRESTOR?

Tell your health care professional if you

- have a history of muscle pain or weakness
- are pregnant or think you may be pregnant, or are planning to become pregnant
- are breast-feeding
- drink more than 2 glasses of alcohol daily
- have liver problems
- have kidney problems
- have thyroid problems
- are Asian or of Asian descent

Tell your health care professional about all medicines you take or plan to take, including prescription and non-prescription medicines, vitamins, and herbal supplements. Some medicines may interact with CRESTOR, causing side effects. It is particularly important to tell your health care professional if you are taking or plan to take medicines for

- your immune system
- cholesterol/triglycerides
- blood thinning
- HIV/AIDS
- preventing pregnancy

Know all of the medicines you take and what they look like. It's always a good idea to check that you have the right prescription before you leave the pharmacy and before you take any medicine.

(continued)

Keep a list of your medicines with you to show your health care professional. If you need to go to the hospital or have surgery, tell all of your health care professionals about all medicines that you are taking.

## WHAT ARE THE POSSIBLE SIDE EFFECTS OF CRESTOR?

CRESTOR can cause side effects in some people.

Serious side effects may include:

**Muscle problems.** Call your health care professional right away if you experience unexplained muscle pain, tenderness, or weakness, especially with fever. This may be an early sign of a rare muscle problem that could lead to serious kidney problems. The risk of muscle problems is greater in people who are 65 years of age or older, or who already have thyroid or kidney problems. The chance of muscle problems may be increased if you are taking certain other medicines with CRESTOR.

**Liver problems.** Your health care professional should do blood tests before you start taking CRESTOR and during treatment to check for signs of possible liver problems.

The most common side effects may include headache, muscle aches and pains, abdominal pain, weakness, and nausea.

This is not a complete list of side effects of CRESTOR. Talk to your health care professional for a complete list or if you have side effects that bother you or that do not go away.

## HOW DO I STORE CRESTOR?

Store CRESTOR at room temperature, 68-77°F (20-25°C), in a dry place. If your health care professional tells you to stop treatment or if your medicine is out of date, throw the medicine away. **Keep CRESTOR and all medicines in a secure place and out of the reach of children.**

## WHERE CAN I GET MORE INFORMATION ABOUT CRESTOR?

Talk to your health care professional. Full Prescribing Information is available on CRESTOR.COM or by calling 1-800-CRESTOR.

## GENERAL INFORMATION

It is important to take CRESTOR as prescribed and to discuss any health changes you experience while taking CRESTOR with your health care professional. Do not use CRESTOR for a condition for which it was not prescribed. Do not give CRESTOR to other people, even if they have the same medical condition you have. It may harm them.

NOTE: This summary provides important information about CRESTOR. For more information, please ask your health care professional about the full Prescribing Information and discuss it with him or her.

Visit [CRESTOR.COM](http://CRESTOR.COM) or call the Information Center at AstraZeneca toll-free at 1-800-CRESTOR.


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rosuvastatin calcium

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# Postcard: The Everglades. An exploding population of voracious Southeast Asian snakes is threatening the endangered fauna of the River of Grass. Florida goes to war against the python

BY TIM PADGETT

 **Global Dispatch**  
For more postcards  
from around the world,  
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**T**HIS IS THE EVERGLADES THAT THEY put in brochures. Summer rains have raised the waters, and lily pads blooming in the searing sun give the sprawling wetlands a Monet mood. But as his airboat glides through the saw grass 30 miles west of Fort Lauderdale, Florida Fish and Wildlife Conservation (FWC) commissioner Ron Bergeron is looking for the worst invasive menace to threaten the River of Grass since sugarcane and the Army Corps of Engineers. "They like to sneak onto islands like this one," says Bergeron, 65, a self-described "glades cracker" who has spent almost as much of his life out here as most alligators have. "They know birds and animals take refuge on them."

Bergeron is a smart gladesman. He pulls up to the tree-covered hummock, and almost as soon as herpetologists Shawn Heflick and Greg Graziani hop off the airboat armed with snake hooks, they find a 10-foot Burmese python slithering through the mud. Graziani swoops down and grabs the angry serpent's tail while Heflick goes for the other end. After a brief struggle, during which Heflick gets his hand bloodied by a sharp snake tooth, they pull the python's head, with its camouflage-like design, into their clutches. "It was trying to cool off deep down there in the slime in this heat," says Heflick, lifting the python like a trophy as it coils around his forearm and flashes its forked tongue. "Makes it harder to find them this time of year." When they get back to dry land, the men will kill it.

So begins Day One for Florida's first officially designated python posse. The population of the voracious nonnative snakes has exploded so frighteningly in the past decade—as many as 150,000 are estimated to be crawling through the Everglades—that the state has launched a hunting offensive to eradicate them before they wipe out the endangered species na-



**Snake charmer** A captured python wraps itself around the forearm of herpetologist Shawn Heflick

tive to the region, like wood storks and white-tailed deer. Or before they become a human threat: in early July, a 2-year-old girl was strangled to death in her crib by a nearly 9-foot python illegally kept as a pet in her house outside Orlando.

Since then, Florida officials like Bergeron and Senator Bill Nelson have ramped up the python-purge campaign. On July 17, FWC chairman Rodney Barreto issued the first snake-hunting permits for state lands, and U.S. Interior

Secretary Ken Salazar did likewise for Big Cypress National Preserve. (Hunting is banned in Everglades National Park, but Salazar is considering allowing it in this case.) Researchers are even developing a python drone, a small remote-controlled airplane

that can detect the constrictors. For now, only reptile experts like Graziani and Heflick have permission to hunt the serpents. (Using firearms against the reptiles is still prohibited.) But given how prolifically the pythons breed and how big they get—a 13-footer ate a 6-foot alligator a few years ago—Bergeron expects skilled gladesmen armed with

traps, bows and guns to be recruited for bounty-hunting soon. "These monsters are challenging the top of the food chain out here," he says, "and it's not natural."

In large part, Floridians have created their own mess. The Sunshine State loves exotic pets, and sales of pythons, most imported from Southeast Asia, reached \$10 million in the state last year. But too many buyers, after discovering what a large and expensive chore caring for these snakes can be, simply get rid of them. And because there aren't a lot of adopt-a-python agencies, the reptiles are often dumped in the wild. As a result, Florida in 2008 instituted new ownership requirements, such as \$100 annual permits, proof of snake-handling skills and implantation of microchips in pythons' hides to keep tabs on the snakes.

After the posse euthanizes the morning's catch by swiftly severing its brain stem, the men examine its entrails. "She was eating well out there," says Graziani, noting the large fatty deposits and the animal fur in its stool. But with everyone from politicians to glades crackers pledging to stop the python invasion, the snakes are now the prey.





# Inbox



## Over the Moon

JEFFREY KLUGER'S "MOON WALKERS" LEFT me with a new appreciation of our astronauts [July 27]. It was carefully researched and beautifully written and filled in the gap in my knowledge of the lives of these men after their missions. Kluger's last paragraph on the "enduring legacy" of the 24 men's unique "comradeship" will stay with me. They are more human and more heroic than I ever imagined.

Gerry Mandel, ST. LOUIS, MO.

THE BRAVE ASTRONAUTS WHO IMMEASURABLY boosted America's status during the Cold War undertook their daring adventures with full knowledge of the mortal dangers involved. But even more than their achievements, the true measure of their greatness is the humility they have shown—in a world where very ordinary men cannot stop bragging about trivial triumphs.

Ajit Parihar, LUDHIANA, INDIA

THE 40TH ANNIVERSARY OF THE MOON landing was the perfect opportunity to reinject space exploration into the national consciousness. So I was disappointed that you ran a human-interest piece. The astronauts' post-NASA lives are not the primary story. The Apollo program represents more than a technological feat. The audacity to go to the moon was perhaps the 20th century's greatest

illustration of America's optimism. Present generations of Americans need to recapture some of that audacity.

Vincent Augelli, SAN DIEGO

## School's In for Summer

I WAS DISTURBED TO READ ABOUT EXTENDING the academic year for schoolchildren [July 27]. The free time afforded by summer vacation does much for the mind, provided children have ample time to play, especially outside. If the issue is that low-income kids lose reading skills, communities would be better off implementing fun reading programs to keep kids growing. Childhood is a time of creativity and play. I'm not against education. I am completing my Ph.D. But I can't stand to think about my kids being behind their desks longer than they already are.

Bethany Snyder, RESTON, VA.

FOR YEARS, PUBLIC LIBRARIES HAVE offered free, structured, fun summer reading programs proven to keep skills sharp. Before we add to the school year, we should look to support the real pillars of lifelong education—our public libraries.

Pamela Fitzgerald, CHARLOTTESVILLE, VA.

## Two-State Confusion

ONCE AGAIN, A TIME ARTICLE HAS fallen into the trap of depicting Israeli settlements as the main obstacle to peace in the Middle East [July 27]. The key problem continues to

## READING, WRITING AND WELDING

"SUMMER SCHOOL FOR EVERYONE?" inaccurately compares U.S. student achievement with that of other nations [July 27]. Other industrialized nations have academic schools for the average and above-average kids, while underperforming students go to trade schools. Their test scores reflect only the academic schools; in the U.S., scores reflect all students. To suggest that the gap can be narrowed by simply increasing class time is a joke. How is this extra time going to be funded? The education budget is already the first to be slashed every year. The real solution is to have separate academic and trade schools. Not all students are academically inclined, so we need to stop teaching them as though they were.

Michael Brossett, WRENS, GA.

be the unwillingness of the Palestinian leadership and most Arab states in the region to accept Israel as a Jewish state. This is a much more fundamental issue than whether someone in Efrat or Ma'aleh Adumim can build an addition onto their house.

Henry Goldberg, CHICAGO

CHUTZPAH IS THE TERM THAT COMES to mind when reading Israel Katz's response to President Obama's efforts to solve the West Bank-settlement issue. Israel accepted \$2.4 billion in aid last year from U.S. taxpayers, yet the Katz family and fellow settlers tell us to "butt out." Californians could use that money to ease our budget crisis, and we know better than to bite the hand that feeds us—even when it's our money in the first place.

Doris Concklin, CARMICHAEL, CALIF.

THE PALESTINIANS' LAND HAS BEEN occupied by Israel for far too long. They've had enough. So they fire rockets of protest into Israel, and Israelis rain bombs down on the Palestinians. What are the Palestinians supposed to do? The Israelis keep saying that Hamas wants to wipe out the Israelis. Does anyone ever ask the Israelis if their goal is the destruction of the Palestinians? I would guess the answer is yes.

Bill Petrusky Jr., MONTVILLE, N.J.


**'As we witness our power to destroy and oppress in war, the early astronauts' small steps and giant leaps remind us of our true calling.'**

David Terhune, BROOKLYN, N.Y.





**His space** The 40th anniversary of Apollo 11—manned by Neil Armstrong, Michael Collins and Buzz Aldrin, right—sparked renewed awe in readers





Sunday, August 9

 **9pm: Tornadoes**  
Winds: 300mph  
Chance: 100%  
Destruction: Total

 **10pm: Lightning**  
Rain: Heavy  
Temp: 54,000° F  
Predictability: 0%

# RAGING PLANET

When nature's not happy, nobody's happy.

 **Discovery**  
CHANNEL

[AwesomeSundays.com](http://AwesomeSundays.com)

WHEN ARE YOU GOING TO WRITE A SIX-page article flanked with color pictures of the Palestinian victims kicked out by force from their villages to make way for these illegal and illegitimate outposts?

Ahmed Said, VIRGINIA BEACH

THE FACT THAT SETTLERS LIVE IN compounds protected by machine-gun-toting guards pinpoints another tragedy. Israel needs peace and security. It will get neither while it confiscates land, restricts travel and otherwise degrades Palestinians.

John Bertische, NORMAL, ILL.

## A Star Grows in Newark

YOUR ARTICLE ON NEWARK, N.J., MAYOR Cory Booker provides a fascinating portrait of a politician who seems to deeply care about his job and the welfare of his constituents [July 27]. As a property owner in Newark, I have seen quality-of-life changes such as clearing out abandoned buildings and creating and improving parks. Such developments, although small, are the nucleus of positive change for the residents of Newark. Your comment that Booker might be "just Obama-lite," however, is degrading. As your article demonstrates, Booker has proved his ability to lead a large and troubled city. He stands on his own.

Abe Rappaport, TOTOWA, N.J.

## No Puffin' in Tobacco Country

RE "BIG TOBACCO'S NEW TARGETS," BY Jeffrey Kluger, in which both North and South Carolina are listed as states with no restrictions on smoking in restaurants [July 27]: I am extremely pleased to report that in Rock Hill, S.C.—and, as of Jan. 2, 2010, in all of North Carolina—restaurants are smoke-free. Patronage has increased, and there's a new, fresh ambience in all of them. In Rock Hill—one of several areas in the state to pass such a law—the new ordinance went into effect on May 1, though several restaurants had by then already banned smoking.

Guillermo Castillo-Feliú, ROCK HILL, S.C.

## The Great Outdoors

IN "POSTCARD: BRISTOL BAY," BRYAN Walsh points out that if the Pebble Mine is built, it will produce billions in precious-metal wealth and create needed jobs [July 27]. But at what cost? Experts

say it will foul the air and water and hurt salmon runs, among other atrocities. And the benefits will be exhausted within 50 years. I'm all for a sustainable resource like fish, which will bring jobs and provide profits for many more years to come. Also, there's great potential to earn cash through things like solar cells, especially in the land of the midnight sun. Maybe we can reconcile traditional culture and the modern world—and make money in the process.

Aaron Warner, SEATTLE

THE INDUSTRY ARGUES THAT THE PEBBLE Mine can be developed without "serious risk to the environment." Have we forgotten the devastating 1989 oil spill in Prince William Sound? Unless the industry can say "no risk," the mine should be shut down.

Reynold Knopf, HOLLISTON, MASS.

## Keeping Secrets

RE "THE CIA HAS SECRETS. HELLO?" [July 27]: As an Army intelligence officer during the Korean War, I interrogated a lieutenant colonel who had defected from North Korea's supreme headquarters. My superiors agreed that in exchange for an extensive report, he would not be turned over to the South Koreans but would

be allowed to continue his education in electrical engineering in the U.S. After a two-week interrogation, I was directed to turn him over to the CIA, who would then follow through with the agreement. A short time later, I heard that the CIA thought he might be a double agent and was considering eliminating him. I never heard anything about him again but have always wondered what they did with him.

Albert R. Wight, POWELL, WYO.

## Evangelicals Aren't That Funny!

IF JOEL STEIN WHEEDED AN INVITATION to participate in an event at a mosque, Jewish temple or Hindu shrine and produced a column similar to the one he wrote about Saddleback Church, he would probably lose his job [July 27]. So why is it O.K. to generalize one small event at one church on one night into an indictment of Christians, especially Evangelicals? In America, we have freedom not only of religion but also of taste and style and, yes, even humor. But what can possibly make Stein's humor superior to anybody else's? There have always been scoffers, so what is new here? Why print this? Or am I just too unfunny and literal-minded?

Thomas Askeu, DANVERS, MASS.

## 'Can Booker save Newark? Was Rome built in a day? He is the hope and spark many have been waiting for.'

Jessica Weber Brenman, NEWTON, N.J.



Jersey man Booker turned down a White House job to finish the one in Newark



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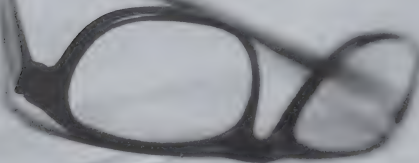
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Average savings amount based on national GEICO New Policyholder survey data through February 2009. As of December 31, 2008, Government Employees Insurance Company had admitted assets of \$22.5 billion, and policyholder surplus of \$4.1 billion (including \$2.4 billion in paid up capital stock). Total liabilities were \$6.4 billion (including \$17 billion in reserves). Additional financial information is available at <http://www.geico.com/about/geico/financial>. Customer satisfaction based on an independent study conducted by Alan Newman Research (2008). Some discounts, coverages, payment plans, and features are not available in all states or in all GEICO companies. Motorcycle and ATV coverages are underwritten by GEICO Indemnity Company, Inc. PNC Insurance Co., Fidelity and Fidelity Life Insurance Company are written through non-affiliated insurance companies and are licensed through the GEICO Insurance Agency Inc. Government Employees Insurance Co. - GEICO General Insurance Co. - GEICO Indemnity Co. - GEICO Casualty Co. These companies are subsidiaries of Berkshire Hathaway Inc. GEICO - Washington, DC 20075 - 1-800-947-AUTO (2886) - Washington, DC 20075. GEICO Gecko logo © 1999 - 2009 © 2009 GEICO



# Briefing

THE WORLD SPOTLIGHT VERBATIM HISTORY

MILESTONES



## The Moment

7/29/09: China

AN INFLUENZA VIRUS HAS only eight genes—far fewer than the estimated 25,000 that human beings possess—but its simplicity hasn't stopped it from wreaking havoc on humanity for centuries. Even today, with vaccines and antivirals, normal seasonal influenza kills some 36,000 Americans each year. And every once in a while, it gets much worse. When new flu viruses arise and begin spreading easily, they can trigger global pandemics. Sometimes

they're relatively mild, like the pandemics of 1957 and '68. But sometimes they can be as catastrophic as the Spanish flu of 1918, which killed as many as 100 million people.

We're living through a pandemic right now, but we don't yet know if the H1N1/09 virus—the new official name for what was first called swine flu—will sear the history books or merely strike us a glancing blow. In just a few months, H1N1/09 has spread to nearly every country in

the world, infecting so many people that the World Health Organization has officially stopped counting. In nations where it is already winter, like Argentina, H1N1/09 has caused billions of dollars in damage, and China is quaran-

**The only thing predictable about influenza is its unpredictability**

ting foreigners suspected to have the flu. In the U.S., the virus has continued to multiply in the summer—a worrisome sign, since influenza usually takes a vacation when the weather improves.

Still, so far H1N1/09 hasn't

proved a serious killer. But as the U.S. prepares for an uptick in infections this fall, even a mild pandemic could overload a clogged health-care system. And there's no guarantee the virus won't get worse—the Spanish flu was relatively light in the spring of 1918, only to turn lethal that autumn. U.S. health officials said on July 29 that they hope to have 120 million doses of a new H1N1/09 vaccine ready by October, but the virus could change by then, or the vaccine might prove less than effective. Virologists like to say the only thing predictable about influenza is its unpredictability. As the world waits for the next onslaught, that bears remembering.

—BY BRYAN WALSH

# The World

10 ESSENTIAL STORIES



Mexican authorities escort smugglers suspected of killing a U.S. border-patrol agent

## 1 | San Diego

### A Dangerous Job, Now Deadly

U.S. border-patrol agent Robert W. Rosas, 30, was killed July 23 near the remote town of Campo, Calif., while tailing a group of suspected drug smugglers and illegal immigrants. He was the first member of the border patrol to be shot and killed in the line of duty in more than a decade. The murder prompted a massive multiagency manhunt involving federal, state and Mexican law enforcement. But while authorities in Mexico have detained five suspects, an FBI spokesman says the case—one that highlights the increasing risk of Mexican drug violence surging north of the border—is still considered unsolved.

## 2 | North Carolina

### An Alleged Jihad, Made In America

His neighbors knew Daniel Boyd as a friendly drywall contractor devoted to his family. But prosecutors in North Carolina depict the 39-year-old as a would-be terrorist bent on murder abroad. Boyd, a U.S.-born convert to Islam, and seven other men were accused of stockpiling weapons and training for "violent jihad" overseas. The accused—all but one of whom are U.S. citizens—include two of Boyd's sons. Authorities say Boyd, the alleged ringleader, received terrorism training in Pakistan and Afghanistan, where he fought against the Soviets 20 years ago. He has not been linked to al-Qaeda or other violent groups.



Thousands of workers protest in South Africa for better job security and pay increases

## 3 | Johannesburg

### A Short Honeymoon for Zuma

After a rousing May vote that saw scandal-plagued African National Congress leader Jacob Zuma elected President on a populist ticket, his charmed leadership has hit the rocks. With nearly 250,000 jobs eliminated in recent months, labor unions have taken to the streets to protest. Construction workers have threatened further strikes; earlier actions have already hindered projects planned for the 2010 soccer World Cup.

## 4 | Virginia

### Keep Your Thumbs on the Wheel

Text-messaging continues to grow in popularity, but a new study offers a sobering reminder that it should never spread to the driver's seat. Truckers texting behind the wheel were 23 times as likely to get into an accident or near miss as those focused on the road, according to the Virginia Tech Transportation Institute, which collected data from 6 million miles of driving. The group warned of a "crash epidemic" if the problem is not curbed. Dialing a phone was also hazardous, though talking did not raise accident rates.

Truck drivers' risk of a crash or near miss, distracted vs. undistracted



Dialing phone  
5.9  
times as high



Talking on phone  
Equal



Reaching for object  
6.7  
times as high



Text-messaging  
23.2  
times as high

SOURCE: VIRGINIA TECH TRANSPORTATION INSTITUTE

## 5 | Pakistan

### Still a Valley Of Death

Despite official claims that a three-month military assault had rid the Swat Valley of Taliban fighters, residents are leery of returning as violence continues to plague the region. In recent days, the discovery of an active Taliban recruitment cell and the beheaded body of a kidnapped policeman have fed fears that militants remain in control. Some 2 million people were displaced during the offensive in April.

# Numbers: 3,100

Number of donkeys in Afghanistan that will ferry ballots to inaccessible regions for the upcoming presidential election

# 2

Number of Guantánamo Bay detainees to be resettled in Ireland—one of the few European nations to agree to accept the prisoners



## 6 | New Jersey

**TAKE THAT, TONY SOPRANO** In a state long tainted by graft, New Jersey's latest scandal may top them all. After a 10-year probe reaching from Hoboken to Israel, federal agents slapped 44 people with criminal charges. The allegations read like a movie script: assemblymen and mayors took bribes in diners and parking lots; rabbis laundered millions through Jewish charities; a man tried to sell a kidney to an FBI informant. The fallout has been equally cinematic: the mayor of Secaucus resigned July 28, and the same day, another accused official was found dead in suspicious circumstances.

## 7 | Haiti

### An Escape Turns Deadly

As many as 85 Haitians were feared dead after their overloaded sailboat struck a jagged coral reef and sank in the Atlantic Ocean. The rickety wooden craft was packed with about 200 people hoping to flee their impoverished nation when the accident occurred off the Turks and Caicos Islands. While more than 100 were rescued, the sinking could be the worst such disaster since 2007, when 80 Haitians died after their boat capsized.

## 8 | Iran

CONVICTED OF FRAUD	DISMISSED BY KHAMENEI	DISMISSED	RESIGNED
			
Ali Akbar Mehrabian Industry Minister	Esfandiar Rahim Mashael Chosen to be VP	Gholam-Hossein Mohseni-Ejeli Intelligence Minister	Mohammad-Hossein Saffari-Harandi Culture Minister

### Cracks in the Cabinet

Following Iranian President Mahmoud Ahmadinejad's controversial June 12 re-election and the violent protests it sparked, a series of dismissals and resignations in his inner Cabinet have complicated efforts to put together a new government before the end of August. The departures appear to represent an ongoing schism among Iranian hard-liners in the protests' aftermath.

## 9 | Shanghai

### Easing the One-Child Policy?

Reports surfaced in international media that in an effort to respond to the rapid graying of the workforce, some couples in China's most populous city would be encouraged to have two kids. Shanghai officials denied any policy shift, but rumors persist that Beijing might be rethinking its controversial population-control policy.

## 10 | Washington

### Home Sales on the Upswing

At last, some good news on the housing front. In June, sales of new U.S. one-family homes saw their strongest increase in more than eight years as buyers hurried to take advantage of bargain-basement prices, low interest rates and a federal tax credit for first-time homeowners. Home prices are still dropping, however, with the median June figure of \$206,200 down 12% from \$234,300 a year earlier. And with a huge backlog of unsold homes, analysts continue to disagree on whether the higher-than-expected increase signals a coming recovery.

Seasonally adjusted annual number of houses sold in the U.S. (in thousands)



## \* | What They're Unplugging in Cuba:

The Obama Administration has taken down a 5-ft.-high (1.5 m) electronic news ticker, installed under President George W. Bush at a low point in diplomatic relations, from the windows of the American mission in Havana. The sign, used to annoy Cuban officials with pro-democracy messages, had been blocked by Fidel Castro with massive black flags. According to American University professor Robert A. Pastor, the act of goodwill "has permitted both sides to act like mature adults."



**1** MILLION Increase in the number of Americans who volunteered for community service in 2008, compared with 2007

**\$50,000**

Damages being sought in a defamation suit filed against a Chicago woman by her landlord after she tweeted about the mold in her apartment

## Spotlight:

## Honduras



## Run for the border

Ousted President Manuel Zelaya defies the interim government's orders by briefly crossing back into Honduras

**T**HE SCENE AT THIS SWEATY CENTRAL AMERICAN checkpoint was grand political theater. On July 24, ousted Honduran President Manuel Zelaya, threatened with arrest if he ever again set foot in his homeland, ducked across the border before crowds of media and supporters—and then rapidly strode back into neighboring Nicaragua to set up camp. The action put Honduras' political crisis back in the headlines, and it set tensions boiling and troops firing tear gas on Zelaya's supporters nearby, prompting U.S. Secretary of State Hillary Clinton to dub the move "reckless."

But Zelaya's resorting to such a circus only underlines the impotence of the international community in reacting to his ouster. More than a month after Zelaya was flown out of the country at gunpoint, the de facto government still refused demands to return him to office. A plan brokered by Costa Rican President Oscar Arias appeared to be heading nowhere, although Honduran lawmakers said they would study proposals of amnesty for players on both sides of the coup, including Zelaya.

## COUPS:

## A RECENT HISTORY

## Ecuador 2000

Unpopular President Jamil Mahuad is deposed by a military junta that installs his No. 2, Gustavo Noboa

## Venezuela 2002

A failed coup against President Hugo Chávez lasts just 47 hours and fuels suspicion of U.S. involvement

## Haiti 2004

President Jean-Bertrand Aristide is forced out by armed rebels

Hugo Chávez



Fidel Castro



Evo Morales



Manuel Zelaya



**Friends of Manuel** Fellow leftist leaders have come out in support of the deposed President

**60%**

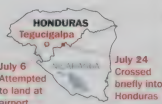
Increase in minimum wage in Honduras under Zelaya

The most surprising result so far might be that Latin America's leftists have abandoned their usual line of accusing Washington of meddling and are lamenting that it hasn't done enough. "Do something, Obama. This is in your hands," Venezuelan firebrand Hugo Chávez groaned on his television show. The Obama Administration argues it has taken action by cutting off military aid to Honduras and revoking the diplomatic visas of several officials. But U.S. conservatives have argued against more punitive steps, saying Zelaya was a menace who had to be taken down. The coup was launched as the leftist leader tried to push through a vote allowing Presidents to stand for a second term—an action seen as an effort to extend his power, as ally Chávez has done in Venezuela. The interim government has now charged the exiled Zelaya with crimes including treason for the attempt.

The longer the stalemate continues, the closer the government gets to achieving its goal of holding a new presidential election in November. A fresh vote may allow Honduras to re-establish order and restore its tarnished image.

"This was a constitutional succession," de facto President Roberto Micheletti said at a news conference. "I won't allow for people to call this a coup." But many other Latin American leaders see the maneuver as exactly that—and fear it might set a dangerous regional precedent.

—BY IOAN GRILLO



July 6 Attempted to land at airport

July 24 Crossed briefly into Honduras

## Unbowed

Zelaya allied himself with the nation's rural poor but clashed with the political and business elite in Tegucigalpa, the capital





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# Verbatim

'I had to hold my nose and stop those firms from failing.'

**BEN BERNANKE**, U.S. Federal Reserve chairman, citing fears of a "second Great Depression" to explain why he used taxpayer money to bail out firms like AIG last fall

'These people are obviously reaching the end of their rope.'

**RON REDMON**, spokesman for the U.N. refugee agency, on the nearly quarter of a million Somalis who have been fleeing the country's violence since May

'A 30-second phone call, and I'm like, "What? That's all he's got for me?"'

**MARK BUEHRLE**, of the Chicago White Sox, joking about President Barack Obama, an outspoken White Sox fan, who called to congratulate him on becoming the 18th pitcher in major league baseball history to throw a perfect game

'If you see me dab at my eyes, I'm not sad. It's chemotherapy, and I've made the Kleenex industry wealthy.'

**ARLEN SPECTER**, Pennsylvania Senator, proclaiming himself "fit as a fiddle" and "ready for re-election" despite lingering side effects from cancer treatment last year

'I have never had great admiration for him, and I never will.'

**ALBERTO CONTADOR**, Tour de France winner, on his relationship with fellow Astana-team cyclist and seven-time Tour de France champion Lance Armstrong

'How about, in honor of the American soldier, you quit makin' things up?'

**SARAH PALIN**, former Alaska governor, advising members of the press on how to treat her successor

'It took a 7-year-old to tell us what it was. We thought it was just some type of new tagger.'

**JEFF SUTTER**, captain of the Wauwatosa, Wis., police department, after a *Harry Potter* fan vandalized 80 local traffic signs to make them read STOP VOLDEMORT



## BACK & FORTH

### North Korea

'Maybe it's the mother in me, or the experience I've had with small children and unruly teenagers and people who are demanding attention: don't give it to them.'

**HILLARY CLINTON**, U.S. Secretary of State, likening North Korea's refusal to halt its nuclear activities to the behavior of a disobedient child

'Sometimes she looks like a primary-school girl and sometimes a pensioner going shopping.'

**A NORTH KOREAN FOREIGN MINISTRY SPOKESMAN**, accusing Clinton of being "unaware of elementary etiquette"

### Media

'Certainly your view can't be discounted.'

**LOU DOBBS**, CNN host, to a caller on his radio show who claimed that President Barack Obama was not a natural-born U.S. citizen

'It seems this story is dead—because anyone who still is not convinced doesn't really have a legitimate beef.'

**JON KLEIN**, president of CNN/U.S., in a leaked memo to staffers of Dobbs' show, noting that the beliefs of the so-called birther movement had been definitively disproved

## LEXICON

**Stealth Starbucks** *n.*—New cafés opened by the coffee chain that forgo the Starbucks brand

**USAGE:** "In the continued failings of the Starbucks chain, here's a new one: the **stealth Starbucks** store. A Seattle outlet of the 16,000-store coffee behemoth is being rebranded without visible Starbucks identifiers, as 15th Avenue Coffee and Tea."

—Chicago Tribune, July 17, 2009

# Brief History

## Disorderly Conduct



**A**MONG THE MANY GRAY AREAS AND JUDGMENT CALLS IN law enforcement, disorderly conduct is one of the fuzziest. Just ask Harvard professor Henry Louis Gates Jr., arrested July 16 after yelling accusations of racism at an officer responding to a reported break-in at his home. Statutes outlining the misdemeanor are designed to help police maintain authority, and they are broadly worded; deciding what constitutes disorderly conduct is typically at an officer's discretion.

Disorderly conduct has its roots in the mid-19th century, when police officers needed a way to quell street brawls that erupted between immigrants and nativist groups, like the 1849 riot at New York City's Astor Place Theatre that killed 22 people. Like all aspects of modern-day policing, it has its roots in British common law. While used in cases of individuals, disorderly conduct is just as common in group arrests—at, for instance, abortion clinics, rallies and political conventions. At New York City's 2004 Republican National Convention, more than 1,100 people were arrested in a four-hour period, many for disorderly conduct.

Under the First Amendment, talking trash—what police acidly call “contempt of cop”—isn't by itself punishable unless you alarm a crowd while doing it. Thus, many cases are eventually dropped, as Gates' was. Nor is his the first to carry overtones of discrimination: Rosa Parks was convicted after she refused to give up her bus seat to a white passenger in 1955.

While some say the laws' broad definition leaves them open to abuse, Tom Nolan, a former officer and Boston University criminal-justice professor, begs to differ. “Police pride themselves on resolving issues, and 99% of the time it occurs without arrests,” he says. Disorderly conduct charges are made when “there really isn't any other choice.” —BY BONNIE ROCHMAN

**Keeping the peace** New York City police officers arrest a telephone-company worker during a strike in 1972

### DISORDER IN THE COURTS



**1951** Order trumps free speech: the U.S. Supreme Court upholds conviction of student Irving Feiner for inciting crowds at a leftist rally

**2001** Charges dropped against jazz musician Byard Lancaster, arrested for jamming in front of a Philadelphia convenience store

**2007** Idaho Senator Larry Craig collared for suggestive foot-tapping in an airport restroom

**2009** Arrest of black Harvard scholar **Henry Louis Gates Jr.** prompts President Obama to say police “acted stupidly”—a statement he later qualifies



## THE SKINNER

### Annual Medical Spending Attributable to Obesity

By Eric A. Finkelstein, Justin G. Trogon, Joel W. Cohen and William Dietz

AS THE U.S. OBESITY RATE rises, it's not just waist lines that are expanding. The cost of medical care has ballooned, according to a new report in the policy and research journal *Health Affairs*. The study's authors compared medical data from 1998 and 2006 and found that obese Americans—who now make up a quarter of the U.S. population—are responsible for a \$40 billion jump in annual medical spending. Obese people spend \$1,400 more a year than people of normal weight on medical services, according to research data. Medicare doles out \$600 more for obese beneficiaries; Medicaid pays \$230 more for their prescription drugs. Annual costs associated with obesity are now estimated at \$147 billion and are growing nearly 9% per year. The report attributes the spike to treatment for obesity-related ailments such as diabetes and heart disease. And while it concludes that preventive measures can go a long way toward reducing weight—and medical costs—it stops short of offering specific fixes. Skipping that second doughnut would be a good start.

—BY CLAIRE SUDDATH

READ

SKIM

TOSS



## USES

- NIASPAN® (niacin extended-release tablets) is a prescription medication used along with diet when a diet low in saturated fat and cholesterol and other non-drug measures alone have not been successful.
- In patients with coronary artery disease and high cholesterol, niacin, in combination with a bile acid binding resin (colestipol, cholestyramine), another cholesterol medication, has been shown to slow down or reduce atherosclerosis, the hardening of coronary arteries due to plaque buildup.

## IMPORTANT SAFETY INFORMATION

- NIASPAN is not for everyone, including those with liver problems, stomach ulcers, or serious bleeding problems; and those allergic to any product ingredient.
- NIASPAN is a long-acting form of niacin. Severe liver damage can occur when switching to NIASPAN from immediate-release niacin. All forms of niacin are not the same as NIASPAN, so do not switch between forms of niacin without first talking to your health care professional.
- Tell your health care professional about any unexplained muscle pain, tenderness, or weakness, as this could be a sign of a serious side effect. This risk may be increased when NIASPAN is taken with lovastatin or simvastatin, particularly in elderly patients and patients with diabetes, kidney problems, or thyroid problems.
- NIASPAN should be used with caution if you consume large amounts of alcohol. NIASPAN is associated with increases in liver enzymes measured by blood tests. Your health care professional may do blood tests before and during treatment with NIASPAN to check for liver problems.
- NIASPAN may cause an increase in blood sugar levels. If you have diabetes or higher than normal blood sugar levels, you should carefully check your blood sugar levels, especially during the first few months of NIASPAN and during any change in your dose. Report any changes in your blood sugar levels to your health care professional.
- NIASPAN should be used with caution in patients with kidney problems. Tell your health care professional if you have a history of gout or kidney problems.



## Shouldn't you be trying something like this to help your heart's arteries?

**Consider NIASPAN.** For patients with high cholesterol and plaque in the arteries of the heart, NIASPAN, along with diet and another cholesterol medication (colestipol), is FDA-approved to not only slow down plaque buildup, but also help reduce the plaque that's already there<sup>1</sup>.

You try to manage your cholesterol. You may have made changes to your diet and started exercising. But you still wonder, "Am I doing enough?" Ask your doctor about NIASPAN. In studies of up to 2.5 years, patients with high cholesterol and plaque buildup in the arteries of their heart, showed that NIASPAN, along with another cholesterol medication (colestipol), slowed down plaque buildup. In fact, for some patients, it actually helped reduce existing plaque.

**NIASPAN is not for everyone, including those with liver problems, stomach ulcers, or serious bleeding problems; and those allergic to any product ingredient.**

**Ask your doctor if NIASPAN is right for you.**

- The most common side effects include flushing, headache, diarrhea, nausea, vomiting, increased cough, and itching.
- Flushing (warmth, redness, itching, and/or tingling of the skin) is a common side effect of niacin therapy that may subside after several weeks of consistent NIASPAN use. Additional symptoms may include rapid or pronounced heartbeat, shortness of breath, sweating, chills, dizziness, fainting, and/or swelling. Flushing may vary in severity and is more likely to occur with initiation of therapy, or during dose increases. By dosing at bedtime, flushing will most likely occur during sleep. However, if awakened by flushing at night, you should get up slowly, especially if feeling dizzy, feeling faint, or taking blood pressure medications.
- If you are taking another cholesterol medication called a bile acid binding resin (colestipol, cholestyramine) along with NIASPAN, take these medicines at least 4 to 6 hours apart.
- Some medicines should not be taken with NIASPAN. Tell your health care professional about all the medicines you take, including prescription and non-prescription medicines, vitamins and herbal supplements, or other nutritional supplements containing niacin or nicotinamide. It is especially important to tell your health care professional if you take aspirin, any cholesterol medication, blood pressure medication, or anticoagulants, also known as blood thinners.

This is the most important information to know about NIASPAN. For more information, talk with your health care professional.

**You are encouraged to report negative side effects of prescription drugs to the FDA. Visit [www.fda.gov/medwatch](http://www.fda.gov/medwatch), or call 1-800-FDA-1088 (1-800-332-1088).**

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## NIASPAN (nye-uh-span) (niacin extended-release tablets)

### IMPORTANT INFORMATION ABOUT NIASPAN (niacin extended-release tablets)<sup>1</sup>

#### What is NIASPAN?

NIASPAN is a prescription medication used along with diet when a diet low in saturated fat and cholesterol and other non-drug measures alone have not been successful.

NIASPAN is used to increase good (HDL) cholesterol and lower bad (LDL) cholesterol and triglycerides.

NIASPAN can be used in combination with lovastatin or simvastatin to improve cholesterol levels when taking NIASPAN. simvastatin or lovastatin alone is not enough.

NIASPAN is also used to reduce the risk of recurrent heart attacks in people with a history of heart attack and high cholesterol.

In patients with high cholesterol and coronary artery disease, NIASPAN, when used with a bile acid binding resin, another cholesterol medication, has been shown to slow down or reduce the build-up of plaque in your arteries.

No additional benefit of NIASPAN on heart disease has been demonstrated when used with simvastatin or lovastatin over and above that shown for niacin, simvastatin or lovastatin when used alone.

#### Who should not take NIASPAN?

Anyone who is allergic to niacin, the active ingredient in NIASPAN, or to any of the inactive ingredients. Contact your health care professional for a list of inactive ingredients.

Anyone who has stomach ulcers, liver problems or serious bleeding disorders.

#### What should I tell my health care professional before taking NIASPAN?

Tell your health care professional about any other medications, vitamins, or nutritional supplements you are taking including any that contain niacin or nicotinamide.

It is especially important to tell your doctor if you take:

- Aspirin
- A statin (another cholesterol medication)
  - The risk of muscle pain, tenderness or weakness, which could lead to a rare but serious side effect, is increased when NIASPAN is taken with a statin.
- A bile acid binding resin (colestipol, colestyramine)
- Blood pressure medications
- Blood thinner medications

Tell your health care professional if you:

- Have a history of stomach ulcers, liver problems, kidney problems, or serious bleeding problems
- Have drug allergies
- Have diabetes
- Are pregnant or may become pregnant
- Are breast-feeding
- Consume large amounts of alcohol

#### What are the possible side effects of NIASPAN?

All forms of niacin are not the same as NIASPAN. Do not switch between forms of niacin without first talking to your health care

professional. Severe liver damage can occur when switching to NIASPAN from immediate-release niacin.

Tell your health care professional about any unexplained muscle pain, tenderness, or weakness, as this could be a sign of a rare but serious side effect. This risk may be increased when NIASPAN is taken with a statin.

NIASPAN is associated with increases in liver enzymes measured by blood tests. Your health care professional may do blood tests before and during treatment with NIASPAN to check for liver problems.

NIASPAN may cause an increase in blood sugar levels. If you have diabetes or higher than normal blood sugar levels, you should carefully check your blood sugar levels especially during the first few months of NIASPAN and during any change in your NIASPAN dose. Report any changes in blood sugar levels to your health care professional.

The most common side effects are flushing, diarrhea, nausea, vomiting, increased cough, and itching.

#### Flushing:

Flushing (warmth, redness, itching and/or tingling of the skin) is a common side effect of NIASPAN therapy that may subside after several weeks of consistent NIASPAN use. Flushing may vary in severity and is more likely to occur with initiation of therapy or during dose increases. By dosing at bedtime, flushing will most likely occur during sleep. However, if awakened by flushing at night, you should get up slowly, especially if feeling dizzy, feeling faint, or taking blood pressure medications.

- Taking aspirin (up to the recommended dose of 325 mg) approximately 30 minutes before taking NIASPAN, as directed by a health care professional, may help manage flushing.
- Avoid ingestion of hot or alcoholic beverages and spicy foods around the time of taking NIASPAN to help manage flushing.
- Take NIASPAN with a low-fat snack at bedtime to help minimize upset stomach.

This safety information does not include all of the information people should know before taking NIASPAN. For a complete list of side effects, ask your health care professional.

#### General information about NIASPAN

Do not use NIASPAN for a condition for which it was not prescribed. Do not give NIASPAN to other people, even if they have the same condition you have. This leaflet summarizes the most important information about NIASPAN. If you would like more information, talk to your health care professional.

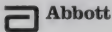
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# Milestones



## Merce Cunningham

TO HIM, AVANT-GARDE DANCE had little to do with symbolism. "You see a chair strapped on my back," Merce Cunningham, the American modernist choreographer who died on July 26 at 90, mused to *TIME* in 1960. "Can't we just say, 'How strange?'" Nary an envelope went unpushed during his

nearly seven decades of creating and performing dance masterpieces.

Though he began his career as a soloist for the famed Martha Graham company in 1939, he struck out on his own in 1944, the beginning of his almost 50-year collaboration—both professional and personal—with composer John Cage. He strayed from Graham's romantic, balletic style and instead emphasized sudden changes of direction and insisted that the dance moves, musical score, set design and costumes all be prepared independently of one another.

He prided himself on creations as fragmented as he believed society to be. His pieces—performed worldwide and with the company he founded in 1953—

often divided the stage into autonomous zones of activity. His dedication to abstraction became his trademark; Mikhail Baryshnikov once described the way Cunningham dancers cover space as a "kind of organized chaos."

Cunningham performed long after the last strand of hair on his wily mane had turned gray. His final piece of choreography, *Nearly Ninety*, premiered at the Brooklyn Academy of Music in April to mark his 90th birthday. In June the Cunningham Dance Foundation unveiled a "living legacy" plan to maintain his body of work. But to Cunningham, his art was not meant to endure.

Dance, he said, "gives you nothing back... nothing but that single fleeting moment when you feel alive."

—BY FRANCES ROMERO



## E. Lynn Harris

NOT SINCE JAMES BALDWIN has a black gay writer achieved the success of E. Lynn Harris. While exploring the boundaries and taboos of sexuality, Harris—who died on July 23 at 54—turned the black community and the literary world upside down, with 10 consecutive *New York Times* best-sellers and more than 4 million

copies of his work in print. Unlike Baldwin, Harris wrote for the masses, introducing readers to a fabulous world teeming with prosperous but morally conflicted black characters.

Born Everett Lynn Harris in Flint, Mich., he quit his job at IBM in his mid-30s and sold his first novel, *Invisible Life*, out of

the trunk of his car to beauty salons and bookstores. A source of inspiration for black gay men, his once forbidden stories about their relationships caught on with female fans: for years, it was virtually impossible to ride the subway in New York City, Washington or Atlanta without coming across a black woman reading one of his novels.

At the core, though, he was a storyteller for everyone. "The lessons I have learned are not limited to race, gender or sexual orientation," Harris said upon publishing his memoir, *What Becomes of the Brokenhearted*. "Anyone can overcome a broken heart. Every life is a story worth telling." —BY KEITH BOYKIN

E. LYNN HARRIS



What Becomes of the Brokenhearted

Boykin is a best-selling author and *CNBC* contributor

**DIED** At the time, AIDS was a mysterious illness that seemed to target only gay men. But **Joel Weisman, 66**, a California physician, co-authored the 1981 report that signaled the beginning of the AIDS epidemic, which has since killed more than 25 million people worldwide.

■ Though he made a living as an advertising designer, **Helinz Edelmann, 75**, is best known for creating the psychedelic look of Pepperland in the 1968



Beatles cartoon film *Yellow Submarine*, complete with dancing typography and music-hating villains called Blue Meanies.

■ **Howard Engle, 89**, a doctor, continued to smoke despite being the lead plaintiff in a 1998 class action against tobacco companies. The trial ended with a \$145 billion award—later voided—cementing the argument that manufacturers knowingly addicted smokers and failed to warn them about the dangers of lighting up.

■ When asked if the Allies' effort was worth the estimated 20 million lives lost, **Harry Patch, 111**, the last surviving British veteran of World War I, replied, "It wasn't worth one." Patch died just days after fellow British WW I soldier Henry Allingham, 113, passed away.



**SENTENCED** A Virginia judge handed U.S.

national **Ahmed Omar Ali, 28**, a life sentence for a 2003 plot to assassinate then President George W. Bush.

**REINSTATED** Former Atlanta Falcons quarterback **Michael Vick, 29**, was conditionally allowed to return to the NFL after serving 18 months in prison for running a dog-fighting ring.





# When Race Matters

For blacks, the arrest of Henry Louis Gates Jr. is a reminder that accolades get you only so far

ONE OF THE MOST TELLING, AND OVERLOOKED, aspects of the brouhaha over the arrest of Henry Louis Gates Jr. is the particular cast of Gates' defenders. There was Deval Patrick, the fresh-faced black governor of Massachusetts, who called the arrest "every black man's nightmare." There was Vernon Jordan, noting that the event "tells us that the election of Barack Obama did not automatically erase racism." There was former Congressman Harold Ford, moderate to a fault, passionately insisting that once Sergeant James Crowley realized Gates had not broken into his own home, the officer should have said, "I'm sorry you're upset, sir. We're going to leave." And then, of course, there was the President of the United States, asserting that the Cambridge, Mass., police acted "stupidly."

There were also the old standbys—Jesse Jackson and Al Sharpton. But by and large, this was not the sort of group you'd expect to see leading a Jena Six rally. Gates himself is more a Cosby conservative than a rabble rouser; he once wrote, "Are white racists forcing black teenagers to drop out of school or to have babies?" And though he studies race for a living, he's not particularly interested in being divisive or controversial. In short, he's one of the last people you'd expect to be led off his front porch in bracelets after reportedly yelling, "This is what happens to black men in America."

There has been a temptation to use the Gates arrest as a metaphor for the plight of all black people. And yet much of what we think of as "black issues" doesn't really affect most black people. We too easily

**There is no single issue that unites blacks with the visceral power of segregation and its 'Whites Only' sign. But mistreatment by the police comes close**

conflate the words *disproportionate* and *majority*. While a disproportionate number of black males are in prison, the majority of us have no experience with hard time. Black people are overrepresented in the ranks of impoverished Americans—but most of us are not poor. Affirmative action may ignite all sorts of racial tensions—but a lot of black people will never apply to a college where such a program exists. What we often term "black issues" are really "American issues" that affect an uncomfortably large number of



black people. For activists looking to rally around race, this has presented a problem over the past few decades: there simply is no single issue that unites blacks with the visceral power of segregation and its accompanying **WHITES ONLY** sign.

Mistreatment by the police, however, remains a shared experience for many African Americans. And it's members of the black upper class—people like Gates and Obama and Ford, black America's most credentialed social stratum—who are most sensitive to overzealous policing and racial profiling. When it comes to encounters with law enforcement, they are uniquely aware of how quickly their accolades can be rendered irrelevant.

It would never occur to me, or most black people I know, to offer a police officer a lecture on race or to say, as Gates

is alleged to have said, "You don't know who you're messing with." For the most part, we're trained by our mothers to hand over ID, answer all questions politely and keep our hands where they can be seen. But for blacks who've made it to the upper echelons of American society, those old lessons chafe, and you tire of wearing the mask of deference. Moreover, members of the black upper class tend to inhabit places where they stick out. They work with colleagues who, if only for statistical reasons, don't have to worry about

being confused with a suspect. They live in neighborhoods where they might be the only people of color on the block. This sense of insecurity, of not quite being at home, coupled with the unwillingness of an agent of the state to explain why he's on your property, might lead even the mellowest among us to see shadowy intentions in what probably was just sloppy police work. And it might lead an otherwise even-tempered President to call the police out in exactly those terms.

**Obama, in all likelihood, has had similar experiences with the police, exchanges in which he was left**

with the impression that his Ivy League pedigree could take him only so far. And so it's unfortunate that he felt unable to continue to express what he truly felt. He was forced to revise and turn what was an objectively true statement—that it's stupid to arrest a man in his own house for being rude—into a vague "teachable moment" about nothing particular. Then he invited Gates and Crowley to the White House for beers.

This is deflating. If the rest of the country is too immature for some straight talk about the relationship between blacks and the police, delivered by our most accomplished and temperate diplomats, then the prospects for a broader dialogue about race are not good. I doubt that small talk over Heinekens will make things any better. ■



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James

# Poniewozik

## Threats with Teeth. Summer is high season for media freak-outs. Is that the apocalypse, or is it just my TV?

TRACY JORDAN (TRACY MORGAN) ON 30 *Rock* once sagely declared, "Live every week like it's Shark Week!" But what does that mean? You could say it means to seize the day, to live as if at any moment, a hammerhead might chomp through your torso.

Or it could mean something else. Shark Week—returning Aug. 2 to Discovery Channel—is not actually a week when people get attacked by sharks. It is a decades-old TV ritual in which millions of people watch in awe of toothy monsters that will never get within biting distance of most of us.

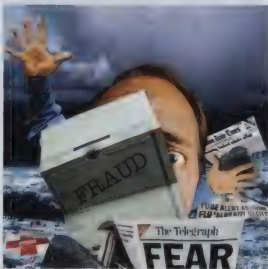
To live every week like it's Shark Week, then, might be a metaphor for living in our media environment: to spend every week titillated by unlikely threats, getting whipped into frenzies, yawning over high-minded stuff like health-care policy and supping from the delicious chum bucket of hysteria. The President is a secret Kenyan who faked his birth certificate! Terrorists are coming to get you! And the world is going to end, six different ways! But first a word from our sponsor.

**Coincidentally, one of the best recent** coincidences of how media overkill works is airing during Shark Week. Summer is high season for media freak-outs. This year, we've had celebrity deaths, political sex scandals and a conspiracy theory that President Obama was born outside the U.S., revived by the likes of CNN's Lou Dobbs. *Sharkbite Summer* (Aug. 4) looks back eight years to when a few high-profile shark attacks sent the media into their own feeding frenzy. The summer of 2001, postrecount and pre-9/11,

**To live every week like it's Shark Week might be a metaphor for living in our media environment**

was notoriously slow on news. (Hence, it was also the season of the Chandra Levy media circus.) So when an 8-year-old boy was mauled by a bull shark in Florida, a hungry press attacked.

As the movie chronicles, minor attacks suddenly made headlines—a surfer recalls getting bit on the leg and a news van beating the ambulance to the scene. TV choppers swarmed the Gulf



of Mexico, and Larry King asked, "Are sharks rebelling?" (Full disclosure: *TIME* ran a "Summer of the Shark" cover.) But by season's end, fewer people had been attacked by sharks in the U.S. than during the summer before.

Sept. 11 soon came along and gave us an actual crisis to focus on. But it was hardly the end of turning fear into infotainment. If anything, terrorism became more fodder for it.

In the years since, society's fear of (and fascination with) sharks and terrorism has not abated. However, we've added a handful of other apocalyptic anxieties: mass extinction, proliferating nukes, global flooding, swine flu, bird flu, peak oil, economic collapse. The end of the world has long been the subject of a popular genre of TV, books and movies.

Now, in the 21st century tradition of fear as entertainment, it has its own reality show. In Discovery's *The Colony*, 10 volunteers are barricaded in a warehouse, without running water or electricity, to simulate surviving after the end of civilization. The band of engineers, handy-men and medical professionals (the magazine columnists, I assume, have long since been eaten) fend off "gangs" (played by actors), filters water and goes through coffee withdrawal.

In *The Colony*'s scenario, a pandemic did us in. But, the show helpfully notes, it could have been "human conflict, nuclear bombs, natural disasters, chemical and biological warfare. Without warning, the world as we know it can come to an end." Until it does, enjoy the show!

**On *The Colony*, every week is** Shark Week. And what with upcoming apocalypse movies like *The Road* and *2012* and the end-of-days rumblings of talk TV and radio, the same is now true for the rest of us. Super-terrorists, natural disasters and megaviruses are not imaginary. But they're more viscerally scary and easier to apprehend than vital but boring systemic problems like the economy and public health.

So we fear and fetishize them over more likely but duller threats: that's a common flaw of risk assessment. Ideally, the media should help us place our worries in perspective. But often they encourage the disaster mentality by focusing on the trendy menace—the sleeper cell, the Obama conspiracy e-mails, the pandemic, the shark—jumping on hot-button distractions and rushing to label every new crisis the worst ever.

It's what Shark Week's makers and their show-biz peers have always known: the sexier threat is the improbable but unknown one. You are more likely to die by drowning or from melanoma induced by the beach sun. But that one-in-a-million chance of being done in by a primeval predator from the murky depths—that's the threat with teeth. ■

## Health Care

# Can Obama

As doubts grow about the White House's push for comprehensive reform, the President faces the biggest challenge of his political life. A look at what's at stake for Obama, the health-care system—and you

BY KAREN TUMULTY

**H**IS ELOQUENCE IS A BIG PART of the reason that Barack Obama got to the Oval Office. There's always been a sense that his ability to explain things was tantamount to his ability to fix them. But the sheer complexity of health care has so far defied both his ability to explain and his power to fix. And in this case, the latter is an even greater challenge than the former.

As the President sat surrounded by his health-care brain trust on July 28, his words seemed unequal to the task before him. Dr. Bob Kocher, a special assistant at the National Economic Council, was on the cream-colored brocade couch across from

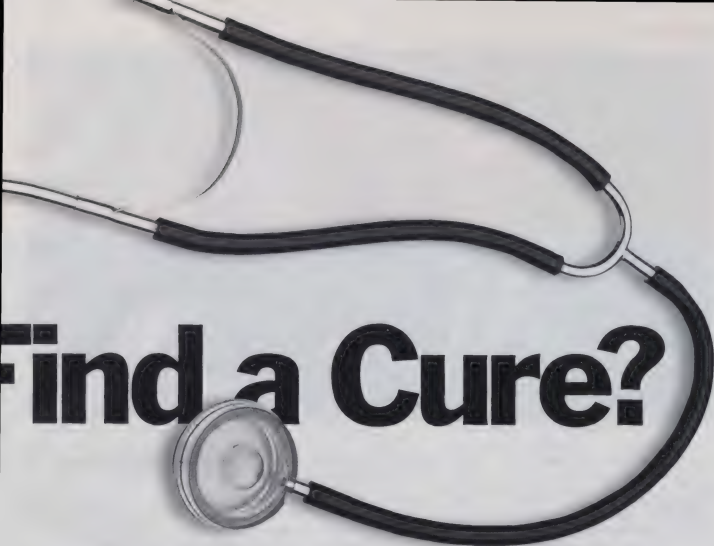
Obama, laying out figures that showed what a sinkhole the country's health care system has become: the U.S. spends more to get less than just about every other industrialized country. Still, Obama and his team are aware that the more Americans learn about how Washington proposes to cure that system, the more skeptical they are about the whole enterprise. The more the public hears, the less it seems to understand. What Obama and his team also know is that fixing health care has become not only a defining moment for his presidency but also a test of his leadership.

In an interview in the Oval Office, Obama did not attempt to hide his frustra-

tion. "This has been the most difficult test for me so far in public life, trying to describe in clear, simple terms how important it is that we reform this system. The case is so clear to me. And when I sit with our policy advisers," he told me, pointing across the room to the spot where Kocher had given his presentation hours before, "when you start hearing the litany of facts, what you say to yourself is, This shouldn't be such a hard case to make, because the American consumer is really not getting a good deal ... It leads me to spend a lot of time thinking about how can I describe this in clearer terms, so that we can get the health care that the American people deserve."

Clarity in describing the challenge is only one test. The hard part is making sure that in transforming a system that is bankrupting the country, Washington doesn't create a new one that does it even faster. Or that in expanding health coverage to the minority of Americans who don't have it, Washington doesn't leave the majority who do have it—and who like what they have—with less. The next 90 days will be particularly treacherous, as Obama's campaign to remake the health





# Find a Cure?

system enters its final, make-or-break stretch. The President will need all his rhetorical skills—and some fresh legislative moves—to persuade this Congress to pass his signature domestic-policy initiative.

Obama has gotten this far in part because he has put off the thorniest questions of who should pay and how big a role government should have. These, he says, are the issues that deepen “some long standing ideological divisions in our Congress and, frankly, in our society.” They are also the ones that have defeated Presidents who have tried to solve the problem, going all the way back to Teddy Roosevelt. But what looked like shrewd politics early in the process is increasingly being viewed on Capitol Hill as a failure to lead. As a senior Democratic congressional aide put it, “The President is going to have to step forward and start making decisions—soon.”

In our interview, Obama noted correctly that there is broad agreement about how to fix the inequities and inefficiencies of

the current system: new insurance rules to make certain that people won't lose their coverage if they get sick; a marketplace or “exchange” where small businesses and those without coverage could purchase what suits them best; research that would show which treatments were effective and which were wasteful; a payment system that would give health-care providers incentives to focus on the quality rather than the quantity of care. And Obama has laid

down a marker that any bill that passes must not add to the deficit over the next 10 years. “Eighty percent of all the various bills that are out there, that people have agreed to, reflect most of our ideas from the start of this process,” he says.

But most of the pivotal questions—particularly about money and who will lose it—remain unresolved. The continuing uncertainty over what the final plan will do, and to whom, helps explain why public doubts are growing. A new TIME poll reveals that 46% of the nation approves of Obama's handling of health care—exactly the same percentage that disapproves. Lawmakers will soon head home to face voters without answers to many of their most basic worries: Will taxes go up? What treatments will be covered? Will there be a new government-run public plan like Medicare? What new requirements will it put on businesses and individuals? What new sacrifices will Americans have to make? And what are the guarantees that an overhaul will bring health-care costs under control rather than make them rise even faster?

There are signs of a coming backlash.



**“More guidance” than advertised** Taking care to hide his bottom line in public, Obama is now more active with lawmakers in private



Obama's health-care-reform allies are currently outspending his opponents 2 to 1, says Evan Tracey of the nonpartisan Campaign Media Analysis Group. The actors who starred as a fictitious middle-class couple in the famously devastating "Harry and Louise" spots that helped kill the Clinton health plan in 1994 are now featured in ones that push for overhaul. But the other side is just warming up, so you can expect to see plenty of nightmarish scenarios in TV advertisements featuring legions of government bureaucrats standing between patients and doctors, and long waits for lifesaving treatments. The U.S. Chamber of Commerce has already allocated \$2 million to fight the idea of a public plan that would compete with private insurers; two liberal groups—Health Care for America Now and the National Physicians Alliance—have run ads in six states arguing that a public option is essential. "August," says White House chief of staff Rahm Emanuel, "has both peril and opportunity."

#### For Obama, Lessons from 1965

IT HAS BEEN 44 YEARS SINCE AN AMERICAN President has succeeded at any new social policy nearly as ambitious as what Obama is trying to do. Yet Obama wondered whether there might be some lessons for him in that earlier President's achievement. So a couple of weeks ago, his health czar, Nancy Ann DeParle, delivered to him a memo outlining how Lyndon B. Johnson got Medicare and Medicaid passed in 1965.

**Will the center form?** Democrat Baucus of Montana, left, and Republican Grassley of Iowa continue the hunt for a formula that can attract at least a handful of GOP votes

Obama was struck by the advantages LBJ had that he doesn't: Johnson was just coming off a landslide election victory and had bigger Democratic majorities on Capitol Hill, where individual members were not nearly as independent of their party leaders as they are now. Nor was the Republican Party of 1965 as uniformly conservative as it is today. Obama must contend with a rougher political culture, fueled by a press corps that in the President's words "gets bored with the details easily, and it very easily slips into a very conventional debate about government-run health care vs. the free market."

But there is also much about how Washington works that hasn't changed. LBJ once said the only way to deal with Congress is "continuously, incessantly and without interruption." To get anything really big done, a President must not only rally public opinion but also keep the legislative machinery turning despite the brakes applied by moneyed interests and public doubts. That is the hard work of governing, and it is very different from campaigning.

Of late, Obama seems to have taken some pointers from Johnson. Obama estimates that he is now devoting a third of his time to working to get a health bill

passed. On July 22, Obama was struck by Washington Post columnist Steven Pearlstein's contention in the morning paper that even an imperfect health-reform plan beats the status quo. The President circulated the column to his senior staff, Emanuel recalls, declaring, "This is required reading." And that night at his prime-time news conference, Obama repeated Pearlstein's argument. Top aides say he spends at least two hours a day in meetings and on the phone with key members of Congress, particularly those on the Senate Finance Committee—some of whom hear from the President almost daily. His message to them usually boils down to two words: Keep moving.

There have been times when Obama has intervened behind the scenes to keep lawmakers from going off track. The President was alarmed, for instance, when Douglas Elmendorf, director of the Congressional Budget Office (CBO), declared on July 16 that the measures thus far

**'The assumption that Democrats will accept anything is a totally false assumption. It had better be a strong bill.'**

—SENATOR CHRISTOPHER DODD

produced in the House and Senate failed to bring the "fundamental change" needed to bring down health costs in the long run. So the following Monday, he summoned Elmendorf, former CBO director Alice Rivlin, Massachusetts Institute of Technology economist Jonathan Gruber and Harvard University's David Cutler to the Oval Office to go over the bills and find other ways to wring out savings. The next day, Obama met with moderate Blue Dog Democrats who have stymied the health-care progress in the House. Drawing on advice from the economists the day before, the President revisited an idea that committee chairmen on Capitol Hill had previously rejected: take from Congress the power to set Medicare reimbursement rates and give it to an independent board. The backroom session went on for hours; by the time it was over, Obama was on his way to winning on that point.

Will that kind of LBJ-style maneuvering be enough? Skepticism is growing. Before taking a risky vote that could come back to haunt them, Democrats are clamoring for a clearer idea of where the President stands on some of the thornier issues, like who should be taxed—and how much—to cover the uninsured. "They want to make sure what they are voting on will be there in the end," says Connecticut Congressman Joe Courtney. "This is a unique role the White House can play."

Some Obama allies fear that in his eagerness to get a deal—especially one that can attract Republican votes—he is giving away too much. The Senate Finance Committee, for example, is on the verge of a deal that would jettison the public option in favor of nonprofit, consumer-owned health-care co-ops, which would mean far less government involvement than many liberals would like to see. The Finance Committee, whose chairman, Max Baucus of Montana, is working closely with ranking Republican Charles Grassley, appears poised to omit any requirement that employers provide coverage to their workers (though they would have to reimburse the government for what it would pay to help them buy their own coverage) and to give relatively skimpy subsidies to Americans who would now find themselves required to buy insurance.

Those provisions make liberal Democrats uncomfortable, if not suspicious. "The assumption that Democrats will accept anything is a totally false assumption," says Senator Christopher Dodd, who led the drafting of a more generous Senate alternative measure. "It had better be a strong bill, or they won't have a bill."—WITH REPORTING BY SOPHIA YAN/  
WASHINGTON ■

## TIME POLL

### Health care

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Are you currently covered by any form of health insurance or health-care plan?

## 86%



PERCENTAGE OF AMERICANS WHO **ARE SATISFIED** WITH THEIR CURRENT HEALTH-CARE PLAN

### Obama at six months

Overall, do you **approve** or **disapprove** of his handling of the job?



56% 38%

## 69%

PERCENTAGE OF THOSE POLLED WHO BELIEVE IT IS IMPORTANT TO **PASS A MAJOR HEALTH-CARE REFORM BILL** IN THE NEXT FEW MONTHS

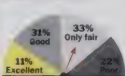
When TIME asked 1,000 Americans what they thought about the prospects for health-care reform, a majority responded that large adjustments rather than minor reforms are needed in the way that Washington regulates medicine. At the same time, however, voters fear that Congress is likely to enact changes in insurance practices and federal programs that will needlessly complicate health care, increase costs and limit the ability of patients to choose their doctors, hospitals and treatments.

- 62%** believe the final health-care legislation is **likely to raise their health-care costs** in the long run
- 56%** believe it will **give them less freedom** to choose their doctors and coverage
- 65%** believe it will make everything **more complicated**

Are you covered through an employer's plan, a private plan you bought yourself or a government program such as Medicare or Medicaid?



Overall, how would you **rate the health-care system** in the U.S.?



## 33%

PERCENTAGE OF PEOPLE WHO **ARE WORRIED THEY COULD LOSE THEIR HEALTH INSURANCE** IN THE NEXT 12 MONTHS

Do you **approve** or **disapprove** of the job President Obama is doing in each of these areas?



Whom do you trust more to develop new health-care legislation?

**47%** President Obama  
**32%** Republicans in Congress

## 51%

PERCENTAGE OF THOSE SURVEYED WHO BELIEVE THAT THE COUNTRY IS **HEADED IN THE RIGHT DIRECTION**

The poll, conducted for TIME by Abt SRBI, surveyed 1,002 American adults on July 27 and 28. It has a margin of error of 3 percentage points.

# 'This Has Been the Most Difficult Test for Me.'

*TIME* national political correspondent Karen Tumulty, who has been closely covering the health-care debate, sat down with President Barack Obama in the Oval Office to discuss the difficult task of piecing together health-care legislation.

I thought I'd talk to you a little bit about the whole degree to which this is really a test of leadership. The fact is that no President has been able to pull off anything on this order of magnitude in 44 years (since Congress passed Medicare and Medicaid). Well, as you point out, the last time we did something of this magnitude was 1965. And the circumstances in some cases were similar—in some cases were profoundly different. Obviously LBJ had just won a landslide re-election and had huge majorities in the Senate and the House. We have the largest Democratic majorities since LBJ. But the way that Congress works is a little bit different today than it was then... I think that Congress is more splintered. I think each member of Congress is a little more independent from party than they might have been in the past. I think the nature of the Republican opposition has changed. Today it's much more concentrated on the conservative end... Whether we've struck that right balance, we'll find out in the next couple of months.

**There are a lot of people right now on Capitol Hill who are saying, "We need more from him. He's got to tell us where his bright red lines are on this."**

The truth is, we've actually, I think, provided more guidance than has been advertised. I mean, if you think about how we've moved this forward, we didn't simply put out some broad principles. We were fairly specific. We said we need to have insurance reform, and that's going to include things like preventing insurers from dropping people because of pre-existing conditions. We said that we are going to need to expand coverage, that an insurance exchange that would provide people a menu of options was an important mechanism to expand choice and help to deliver help to people who didn't have health insurance or were underinsured. We talked about the need for a public option as part of that health-care exchange.

**Although you didn't define what a public option really is.**

I would say, actually, we defined it fairly clearly in terms of what we thought would work best. What I said was, is that it shouldn't be something that's simply a taxpayer-subsidized system that wasn't accountable but rather had to be self-sustaining through premiums and that had to compete with private insurers... Now, if you look at the results, the 80% of all the various bills that are out there that people have agreed to reflect our—most of our ideas from the start of this process... But the

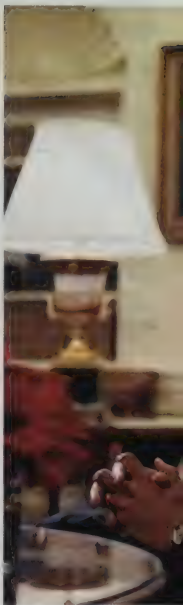
20% that right now is still the holdup would have been a holdup if we had put forward a plan, hadn't put forward a plan, had left it to Congress, had written it ourselves—because it represents some long-standing ideological divisions in our Congress and, frankly, in our society... We've put forward what I continue to believe is the most sensible way of financing [a portion of covering the cost of the uninsured], and that is simply to lower the deductions, the itemized deductions that wealthy individuals can take. That would have covered it... The fact that that has not yet been adopted I don't think is reflective of me not giving clarity to Congress. It has to do with the fact that members of Congress are skittish about anything involving taxes, even though these are taxes that would not be imposed on anybody making less than \$250,000 a year... And when you have a system this large, with this many players involved, it was inevitable that not only would that be contentious but that, again, the public would be suspicious of the possibilities that somehow this means that my doctor is not going to be able to give me what he or she thinks I need.

**But isn't that going to happen occasionally or at least that I'm not going to be able to get what I want?**

Here's how I've described it, and this is the truth as I see it:

there is nothing that would make you healthier that health reform would prevent you from getting.

Well, you know, a few months ago, you brought up your own grandmother's situation [choice to have an expensive hip replacement when she was terminally ill]. It was painful and personal because every







family, if they haven't hit some wrenching decision like this, is going to. As you think back on that, Was that the right decision? Is this the kind of thing that a reformed system, as you see it, would change the dynamic of that decision? You know, first of all, unlike my mother, who had a difficult time with her cancer in part because her insurance



#### Full Transcript

To read the entire interview with President Obama, go to [time.com/obama\\_interview](http://time.com/obama_interview)

**Making the case** *The President is keen to describe reform in clearer terms*

was a little bit unreliable and she had just taken a new job, my grandmother had been signed up under Kaiser Permanente for years. And it's actually one of the models of high-quality, cost-efficient care that's out there right now, partly because they maintain such a stable base of patients and they construct a whole team approach that has proven to be very effective. So my grandmother was generally very happy with her care, and if we could actually get our health-care system across the board to hit the efficiency levels of a Kaiser Permanente or a Cleveland Clinic or a Mayo or a Geisinger, we actually would have solved our problems. Now, even in those systems, there's still going to be hard choices, right? But the fact of the matter is, ultimately, my grandmother was able to get that hip replacement even though she had terminal cancer and even though the operation was full of risks. And so from a purely economic point of view, there would be some who argued that wasn't a good use of health-care dollars. I guess my point is that—

**Do you believe that was?**

Now you ask me, Do I think it's worth it? Of course. It was my grandmother. So anything that would relieve her pain or her suffering or extend her life in a way that she wished is something I wanted to do, and I would have paid for it out of pocket if I had to. But not every family is going to make those same decisions.

**Can I ask you if you go to the polling, which I'm sure you never do, but if you ever did—**

No, actually, on this, I will confess I don't spend a lot of time looking at my polls. I do look at the polling on health care, partly because I think that there is a terrific case to be made to the American public. But it is—this is complicated, it's difficult. The press gets bored with the details easily, and it very easily slips into a very conventional debate about government-run health care vs. the free market, etc., which is not at all what the real debate is about... And I will say that this has been the most difficult test for me so far in public life, trying to describe in clear, simple terms how important it is that we reform this system. The case is so clear to me.

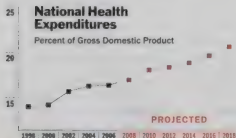
**You're trying to do this in the middle of a recession.**

That's a big load to take on—which then gives traction to this notion that we are interested in expanding government, which then feeds into suspicions that somehow health care is another big government project that we can't afford... Had we not been in the worst financial crisis since the Great Depression, I would have led with health-care reform, made the case, and potentially we might have had it done by now. But I disagree with this idea that because of the financial crisis, somehow we can afford to put this off. In some ways, I think it's just made it more urgent for some of the reasons you just said: A lot more people are losing their jobs, are vulnerable to losing their health care. Our deficits are even bigger, which means the load on Medicaid and Medicaid is just going to get worse. If we don't do this now, we are going to be in a world of hurt later.

# What Health-Care Reform Really Means. A User's Guide

BY KATE PICKERT

THE U.S. SPENDS MORE ON HEALTH care than any other country and yet ranks behind 18 other industrialized nations in medically preventable deaths. The U.S. is far down the list in other important categories as well, including the average number of years citizens live a healthy life. Spending more than \$1 trillion on health reform may improve these rankings—and yet as Congress and the Obama Administration struggle to agree on the nature of reform, it has become harder to understand how the current U.S. system would actually change. Here is a primer on the parties with a stake in the health-care system and how they, and you, might be affected by proposals on the table.

—WITH JAY NEWTON-SMALL  
AND ALICE PARK

### Bending the Curve ◀

Overall spending on health care in the U.S. is currently growing at an unsustainable rate. One main goal of health reform is to slow this growth, which would "bend the curve" that represents spending over time.

HEALTH  
CARE  
GLOSSARY

## fee for service

**WHAT IT MEANS:** We pay for medical services individually—each time we see a doctor and for every test or procedure he orders.

**WHAT YOU NEED TO KNOW:** By providing more services, doctors and hospitals can charge more, which drives up health-care costs. The à la carte structure also makes it hard to keep track of the total bill.

### If You Are ...



### Insured Through Employer

53%

Get health benefits from their job

## CURRENT SITUATION

Employee contributions to job-sponsored health coverage have more than doubled in the past decade. Plans, which are tax-free, are often more generous than those available on the open market. But workers can't take their coverage with them if they switch jobs or are laid off.

## HOW REFORM COULD AFFECT YOU

**THE UPSIDE:** If all employers are required to offer insurance, employer-sponsored plans would never be eliminated. More regulation could reduce the chances that insurers would deny fair claims. A public plan could provide competition in the marketplace and drive down private insurers' premiums.

**THE DOWNSIDE:** Lawmakers are considering taxes on some of the most expensive employee health plans—taxing either employees directly or insurance companies. But insurers are likely to just pass this cost along to consumers, driving up rates. Other taxes could be levied to help cover the poor and uninsured.



## Insured Independently

5%

Buy health insurance on the open market.

### CURRENT SITUATION

People who purchase insurance on their own pay the highest premiums because they are not in a large risk pool and are evaluated based on their health profile. Choices for coverage are limited, and individuals often must buy insurance with after-tax dollars.

## HOW REFORM COULD AFFECT YOU

**THE UPSIDE:** Regulation could prevent insurers from setting rates based on health or turning people away because of pre-existing conditions. If offered, a public option is likely to be available for individuals from the start. Lower-income earners could be eligible for federal subsidies to help them purchase coverage.

**THE DOWNSIDE:** It's hard for things to be any worse for people now buying their own insurance on the open market. Nearly all major aspects of reform would make this prospect easier and cheaper.



### Insured Through a Public Program

26%

Are covered by Medicaid  
and/or Medicare

### CURRENT SITUATION

Seniors and many poor Americans rely on Medicare and Medicaid to insure them—for now. Baby boomers will soon stress the Medicare system, while states are struggling to meet Medicaid costs. Seniors face a gap in prescription-drug coverage, and low Medicaid reimbursements cause many providers to reject these patients.

## HOW REFORM COULD AFFECT YOU

**THE UPSIDE:** Pharmaceutical companies have agreed to cut drug prices to help close the prescription-drug-coverage gap. More Medicare focus on prevention and management of chronic diseases could lower the overall cost of the program, ensuring its long-term stability.

**THE DOWNSIDE:** Lawmakers say increased efficiency could bring down Medicare spending, but they almost certainly would have to reduce coverage as well. Broadening eligibility criteria for Medicaid, which the House is proposing, would increase federal spending dramatically.

## Cadillac plan

**WHAT IT MEANS:** A high-end plan, often paid for by an employer, that covers most medical needs at little cost to the patient.

**WHAT YOU NEED TO KNOW:** Because consumers don't directly pay for services, they tend to overuse them. Congress is considering taxing these plans to generate revenue.



### The Owner of a Small Business

**62%**

Of firms (3 to 199 workers) offer health benefits

#### CURRENT SITUATION

More and more small businesses are dropping coverage for employees or reducing the proportion of insurance premiums they pay. This saves on costs but sometimes means losing workers to big companies, which have larger risk pools and therefore can afford to offer more generous benefits.

#### HOW REFORM COULD AFFECT YOU

**THE UPSIDE:** If a public plan existed, small businesses could buy into it and be included in a large risk pool, thus driving down the cost of providing coverage to employees. Companies with fewer than 10 or 25 employees, depending on which, if any, congressional proposal becomes law, could be exempted from reform provisions requiring employers to offer health benefits.

**THE DOWNSIDE:** Midsize companies could still be forced to offer health benefits. Small businesses that employ low-wage workers might have to pay a penalty if their workers receive federal subsidies to buy insurance.



### Uninsured

**15%**

Lack any type of coverage

#### CURRENT SITUATION

People without insurance typically put off basic medical care and end up in emergency rooms when they get sick. They are often less healthy and more likely to develop chronic diseases, the costs of which must be absorbed by the entire health-care system.

#### HOW REFORM COULD AFFECT YOU

**THE UPSIDE:** Expansion of the Medicaid program could cover large ranks of the uninsured. Those forgoing insurance now because of the cost could be eligible for federal subsidies to purchase private insurance or buy into a public health-insurance plan—if one existed.

**THE DOWNSIDE:** If the government requires individuals to have insurance but does not require employers to provide it, the working uninsured will have to shop for insurance on their own. Plus, some would be too poor to buy insurance but not poor enough to qualify for Medicaid or a government subsidy.

## Big Players

### The Insurance Companies

Private insurers are making healthy profits now but know they will lose a sizable chunk of customers when baby boomers move into the Medicare system. Insurers make money by setting rates based on the health of enrollees and turning down individuals with expensive pre-existing conditions.



**WHAT THEY LIKE:** Current reform proposals could require all Americans to get health coverage, giving insurers a huge pool of potential new customers.

**WHAT THEY DON'T LIKE:** Any government-run health plan could lure Americans away from private insurance. Plus, new regulations could prohibit insurers from rejecting anyone for coverage or basing rates on health risk. To generate revenues and discourage overuse of health care, insurers could be taxed on some high-end employer-based health plans.

### The Hospitals

Many community hospitals operate on thin margins, in part because of below-cost Medicaid reimbursements and the expense of treating the uninsured. Emergency rooms are overflowing, and many hospitals are struggling to deal with outdated record-keeping systems.



**WHAT THEY LIKE:** Federal investments in information technology could help hospitals modernize medical record-keeping. Getting coverage for the uninsured would mean hospitals could cut down on charity care. Tighter regulation on physician ownership of hospitals would benefit nonprofit community hospitals.

**WHAT THEY DON'T LIKE:** A public health-insurance plan, which Congress is considering, could base reimbursement rates on Medicare, which pays less than private insurers. Hospitals could see gradual reductions in the hardship payments they receive to provide charity care, but which they use to cover other shortfalls.

### The Doctors

Doctors face high malpractice insurance costs and a tort system that encourages them to perform more tests and services rather than fewer in order to avoid lawsuits. Low reimbursement rates have also led to a 30% shortage of primary-care providers nationwide.



**WHAT THEY LIKE:** Loan forgiveness programs for medical students who go into primary care could ease the shortage there. Reimbursement reforms under discussion could reward doctors for keeping patients healthy rather than paying them based on services provided.

**WHAT THEY DON'T LIKE:** Since the goal of health reform is to lower the cost of health care overall, some doctors could see their incomes drop. A greater focus on prevention efforts, many of which do not require medical intervention, could also leave doctors with less to do—and reduce their pay in the process.

## public plan

**WHAT IT MEANS:** A government-run health plan that would compete with private ones on cost.

**WHAT YOU NEED TO KNOW:** A public plan could leverage its volume into lower costs and premiums, but critics claim it could put private insurers out of business.

## rationed care

**WHAT IT MEANS:** The claim that in a public plan bureaucrats will decide the quantity and quality of the care you receive.

**WHAT YOU NEED TO KNOW:** It's the bogeyman that those opposed to major reform like to conjure up, but none of the reform proposals anticipates such a consequence.



Joe

# Klein

## Democracy's Discontent. The debate over health reform is a case study of how special interests trump the common good

"SOMETIMES I GET A LITTLE FRUSTRATED," Barack Obama admitted to AARP in late July, "because this is one of those situations where it's so obvious that the system we have isn't working well for too many people, and that we could just be doing better." He was talking about health care, of course. As Washington collapsed toward its August recess, the President's reform efforts were looking distinctly iffy, even though he is absolutely right about the need for change. The system is a fiscal mess, the king of all budget busters. It is also a moral mess, leaving far too many Americans with far too little protection. But the President is wrong when he says, "The system we have isn't working well for too many people." The vast majority—more than 80% in the latest TIME poll—are satisfied with their health care. They may be worried about losing their coverage, and angry as their premiums rise, but the health-care "crisis" is theoretical to most Americans. That's the immediate source of Obama's frustration, but there is a larger, structural issue blocking his path.

One of the most difficult things to do in a democracy is react to a problem that is real, but not immediately threatening. Obama is trying to do this in two monster areas, health care and climate change. "He's killing me," says Senator Debbie Stabenow of Michigan, referring to the hordes of special-interest groups that have camped on her doorstep and clogged her phone lines. Stabenow is smiling as she says it. She supports the

**The passage of landmark legislation has become as common as politicians refusing to run television ads. It just doesn't seem to happen anymore**

broad thrust of Obama's initiatives. "But you can't believe all the groups that want to make their case. There are the doctors, the nurses, the cancer society," she continues, raising the specter of a conga line of disease groups bending her ear. "All of them have legitimate concerns. And that's just health care."

As long ago as 1982, the economist Mancur Olson made the argument, in *The Rise and Decline of Nations*, that as a democracy matures, special interests grow more entrenched. Their intense dedication to their own specific needs, Olson wrote, often trumps the broader, but less focused, interests of society. And that was before the rise of cable news and talk radio. It was before the utterly corrupting effect of televised advertising on politicians really kicked in—the need to raise money (from interest groups, mostly) and to exercise extreme caution lest one of your votes be used to decapitate you in a 20-second ad. It was before the Democrats and Republicans transformed themselves into more strictly ideological parties. Put all these factors in the cauldron and you create a poisonous atmosphere that makes legislative action on big issues almost impossible. It is also a prescription for conservative governance of the sort that has thrived since Ronald Reagan. Doing nothing is the easiest thing.

"We've gotten rusty at legislating," says Representative Jim Cooper, a Tennessee Democrat. He is being kind. There are only two sorts of legislation that seem to pass these days: things that have to pass, like budgets—and cotton-candy giveaways, like tax cuts or the wildly irresponsible, unfunded Medicare drug bill that George W. Bush enacted. Occasionally, responsible actions take place in the budget process. Bill Clinton spent most of his political capital on deficit reduction, which helped fuel the economic boom of the 1990s. Obama has just managed to kill the F-22, an anachronistic fighter jet. Very, very occasion-

ally a special interest will take it on the chin—as the teachers' unions did when Bush passed the No Child Left Behind Act, which mandated a testing regimen the teachers didn't like. But the passage of landmark legislation like the health-industry reforms that Obama is seeking has become about as common as politicians who refuse to run television ads. It just doesn't seem to happen anymore.

These constrictions account for some of the strange decisions that Obama has made in shaping the health-care debate. Since most people like the health care they have, the President has been forced to say, "If you like the health care you have, you can keep it." But it is difficult to enact substantive reforms when 80% of the system stays the same. The need for simplicity has also forced Obama to stick with—indeed, to double down on—the current practice of having employers



PHOTO: ANDREW TAYLOR/GETTY IMAGES; CAPITOL DOMINE: SHUTTERSTOCK/ANDREW TAYLOR





provide health insurance. This is the weakest, most illogical part of the system. It is difficult to sustain in a global economy where American corporations have overseas competitors that aren't saddled with providing health care for their employees.

The pressures of partisanship have forced other contortions. It seems obvious that the cost of malpractice insurance cripples doctors—and drives up the number of tests and procedures they perform in order to bulletproof themselves against lawsuits. Obama has said he is open to malpractice reform, but congressional Democrats haven't included it in their bills because trial lawyers are a major Democratic special interest group. Another Democratic interest group, organized labor, has blocked the most logical and progressive way to fund a universal health-care system—eliminating the tax exclusion on health benefits and replac-

ing it with a progressive tax credit. The health-care exclusion is, at approximately \$250 billion, the single biggest tax break in the federal code. The problem is that unions have negotiated generous health packages over the years. According to Senator Stabenow, autoworkers get a package worth about \$15,000 per year—and public employees get more, about \$19,000. "The police and firefighters get even more," she says. "But they need it, and do you really want to tax them for putting their lives on the line?" (Advocates like Representative Cooper insist that exceptions for some unions can be made.)

The best-constructed health-care bill, developed by Senator Ron Wyden of Oregon, would eliminate the health-care tax exclusion the unions want. "But we also offer a tax credit of \$17,000 per year, which is more than most people are getting in health-care benefits now," he says. Wyden's bill addresses most of the other

major health-care issues. It has 14 bipartisan co-sponsors in the Senate, it covers everyone and offers more choices, it reforms the health-insurance business, it alleviates the responsibility of employers, it has a robust cost-control mechanism, and it has been scored as revenue neutral over 10 years by the Congressional Budget Office. "It's got everything," says Stabenow, one of the co-sponsors, "except interest groups to back it."

**At the end of his presidency, Clinton** told me that the biggest mistake he made in trying to reform health care was pulling a pen out of his pocket during the 1994 State of the Union address and threatening to veto any health-care legislation that didn't achieve universal coverage. He had come to believe that the only way to get something big like health-care reform was to do it incrementally. Obama has been wise not to make any take-it-or-leave-it offers. He is still fighting for a comprehensive bill—and he still may get one. But he may have to settle for less.

"Something called health-reform legislation will pass," a prominent Democrat told me. "The political consequences of not passing anything would be too great." A bare bones bill that reforms the health-insurance industry—insurers would have to accept all comers, including those with pre-existing conditions, at the same rates—is a distinct possibility. Expanded coverage, perhaps including the parents of children eligible for the State Children's Health Insurance Program (SCHIP), is also probable. Most important for long-term reform, a system of health-care superstores—the winks call them "exchanges" or "co-ops"—where individuals and small businesses can go to buy a plan, could be included.

"Look, we've already passed three major pieces of health-care legislation," says Henry Aaron of the Brookings Institution, who is skeptical about the chances for a comprehensive bill. He was referring to the expansion of SCHIP and the funds for electronic records and studies to monitor which treatments are most effective that were included in the stimulus bill. "If we can pass health-care exchanges, which could be expanded in the future and are the seeds of real change, this will be the most successful year of health-care reform in decades." The President wants much more; the media expect much more—but given the constraints of our middle-aged democracy, perhaps we should be happy to achieve any sort of progress at all. ■



# Why There's Hope About Housing

Home prices are bottoming out in a number of cities. But as Boise shows, the return to real estate sanity is neither quick nor painless

BY BARBARA KIVIAT/BOISE



**I**F YOU'D LIKE TO GET A SENSE OF HOW we're emerging from our nationwide housing malaise, sit down at Jillian and Aaron Roberts' kitchen table. As 2-year-old twins Lennon and Miles run by—those divots in the table are their doing—the couple explain that when they first started looking to become homeowners back in 2006, there was little they could afford. "Even a modest home was too much for us," says Jillian, recalling the go-go years of real estate, when a young family like hers didn't stand a chance of getting into the game.

By last winter, the game had changed. When the couple started looking at houses again, they found plenty in their price range.

The western suburbs of Boise, Idaho—four- and five-year-old neighborhoods scattered among hay farms and potato fields—are no longer a favorite stomping ground of out of state speculators, no longer a surefire way to get rich in real estate.

For people simply looking for a place to live, though, deals abound. The house that the Robertses finally bought—with three bedrooms, granite countertops and textured walls—had been listed at \$315,000 before its owners fell into foreclosure and the bank took over. The Robertses paid \$169,000. "We never thought we'd be able to have such a nice house," says Jillian happily.

Yet there is discomfort in her voice

**Nice grab** The Trovatos enjoy their new home, but it's still surrounded by empty lots

**House prices relative to the average family's income are reverting to normal**



Source: Fannie

too. Even though the Robertses represent one of the great forces working to bring the country's housing market back to health—nearly a third of home sales are now to first-time buyers, thanks to a federal tax credit and a glut of foreclosed and other cheap properties—they are constantly being reminded of how sick the rest of the system still is. The couple rattle off houses in their new neighborhood that are for sale by desperate, underwater owners. Through the Robertses' kitchen window, they can see tall weeds in the empty lot next door. Their house was built in 2005, but then the crash came. The builder has yet to return to finish the development.

This, you might be asking, is the good news? Well, yes, it is, because a housing recovery isn't just about bottoming out on price. What is more important for a healthy market is that there be a prevailing logic or reason—rooted in local neighborhoods, in local economies—for houses to cost what they do. And that sort of logic, as illustrated by Boise, is reclaiming the housing market from coast to coast.

### The New Normal

NOW, THERE ARE SIGNS IN SOME PLACES that we are nearing an end to the downward spiral that reduced house prices 32% nationwide and, according to the Mortgage Bankers Association, erased \$3.5 trillion worth of home equity. New-home sales are ticking up, and for the first time in three years, the S&P/Case-Shiller home-price index, which tracks changes in home prices in 20 U.S. cities, has shown a monthly gain.

But don't get too excited. Once you take into account that houses sell for more money in the spring, that increase in the Case-Shiller data disappears—and Moody's Economy.com is still forecasting an additional 11% drop in home prices nationally.

More important than absolute prices, though, is how they relate to what people earn. To gauge housing affordability, the data shop Fiserv compares the cost of houses with household income. By that count, homes nationwide at the end of March were only 7% more expensive than they were in 2000, before the bubble. In some markets—including Phoenix, Atlanta, Las Vegas and San Jose, Calif.—they were actually cheaper. In a way that they haven't in a very long time, home prices are starting to make economic sense.

Part of that return to normal is driven by a return to reasonable lending: people aren't buying more than they can afford to because banks won't let them. When the Robertses first met with mortgage planner Iva Deobald last year, she told them to go away, pay down their credit-card and student-loan debt and then come back



### The Pain Of Falling Home Prices. Could it be nearing an end?

(in thousands of dollars)\*



Atlanta



Kansas City



Memphis, Tenn.

with a better set of financials. Deobald says, "I'm back to what I used to do."

None of this means everyone's happy. In fact, one of the ways in which Boise reflects a return to local logic is the city's rising foreclosure rate. It hasn't been tricky subprime and Alt-A loans tripping up the folks in Idaho; it's been the flailing economy. At 10.1%, Boise's unemployment rate is above the national average and nearly twice what it was this time last year. As big employers such as HP and semiconductor maker Micron lay off thousands of workers, job losses cascade through other industries and small businesses. If people can't make their mortgage payments, foreclosure follows. Perverse as it sounds, that is the housing market working as it should.

For another example, consider Michael and Kathryn Judge. The couple—a cardiac nurse and a nurse practitioner—bought a home in Boise's cottage-filled North End neighborhood in 1994. The Judges, members of that rare breed of Americans who stash a decent slug of income in savings,

put down \$50,000 and mortgaged the rest. A couple of years ago, they paid off the loan. "Friends used to say, you can cash out your equity and do so much stuff. You could travel," says Michael. "Well, instead of getting the four-wheelers and the boat, we paid off our house."

Among his friends, Michael is no longer the chump because now he's buying a new house, freshly marked down, in Hidden Springs, a Pleasantville-esque string of subdivisions tucked into the Boise foothills. The conscientious people who were prudent with their money are buying a nicer home. There's almost something quaint about it. Quaint and good.



**Housing Snapshot**  
Boise's real estate market reflects some national trends. See more photos at [time.com/boise](http://time.com/boise)





**Beginning and end**  
The Robertses, far left, are proud first-time homeowners, thanks to cut-rate prices. Teri Lupo, left, unaided by federal programs, lost her house



Selling their old place still won't be easy. A smattering of opportunistic buyers—while a good start—doesn't unlock an entire market. Thanks to falling home prices, some 20% of mortgage holders nationwide owe more than their house is worth. Many of them are trapped, unable to move—to resettle in Boise, say, and buy the Judges' old house.

Vinny and Karla Trovato moved to Boise at the end of last year but only by finding a renter to live in their Las Vegas home. Now they live in the suburb of Eagle. The neighborhood, with 11 decorated model homes and four sold houses, sits like a ghost town; both the building and the selling have ground to a halt. "We were supposed to have another neighbor, but his financing didn't come through," says Vinny. It's not the neighborhood full of life he had imagined his children growing up in. "Everybody just pushed the pause button," says Russell Dane, president of the Ada County Association of Realtors.

A handful of builders are now pushing

play. Because for some, we have reached an era of land deals too good to pass up. Last fall, GMAC, the onetime finance arm of automaker General Motors, was in meltdown mode, begging the government for funding and trying to raise cash. One salable piece of its portfolio: 84 homesites in Hidden Springs. Jim Hunter, of Boise Hunter Homes, was there to buy. Hunter figures GMAC had already plowed about \$88,000 per lot into the neighborhood by laying down streets and sewer lines. In the fire sale, he spent \$52,000 a pop. And so the land was recycled—from an overextended national company to a more nimble local player able to put it to good economic use. It was, in its own small way, a step back to normal.

Larger homebuilders—the ones that sat on big stores of land going into the bust—have to find another way. These days, CBH Homes' headquarters, just south of Interstate 84, are chillingly quiet. The game is no longer volume—the busloads of investors from California stopped coming long ago—but efficiency. Owner Corey Barton squeezes costs wherever he can, which is why half of what CBH builds (which still isn't much) now belongs to its slimmed-down Advantage Collection. The trick: boxier floor plans cut out embellishments like bay windows and take fewer materials and less time. A 2,000-sq-ft. (186-sq-m) house can be built for \$10,000 to \$15,000 less and priced to reflect that, since Barton's main competition is distressed sellers. "The foreclosure and short-sale market is a monster," he says.

### Still Too Late for Some

IT WOULD BE LESS MONSTROUS IF MORE people could take advantage of government and bank programs that would allow them to stay in their homes. But this part of the equation has been difficult in Boise and nationwide—the reason the Obama Administration recently invited 25 mortgage servicers for a day of head-knocking in Washington.

After 35 years in the mortgage industry, Tom Birch took a job as a housing counselor at Boise's Neighborhood Housing Services this past winter. He spends his days meeting with people who can no longer afford their mortgage payments. It has been tough going. More than most, Birch appreciates that mortgage companies were not pre-

pared to handle the number of cases they have seen. He also understands, again probably more than most, that foreclosure is, in certain circumstances, the right outcome.

And yet what would help him do his job, the thing he most wants from a lender when he sends in an application for a loan modification—asking for something like a reduced interest rate that could help keep a family in its home—is simple. "I just want to know someone is looking at it," he says. Often, that hasn't been the case. Banks simply don't call back.

One person caught in the middle is Teri Lupo, who bought her first house—an \$80,000 starter home—when she was 20 years old. Over the years, she and her husband Scott have owned a couple of other houses as well. They don't anymore.

In late June, Teri, now 31, tearfully packed the last few things—dishes, plants—in her three-bedroom house in Star, a Boise suburb of a few thousand people. When the Lupos' 7-year-old daughter was asked by a neighborhood friend why her family didn't have enough money to pay for its house, she couldn't say. The answer: her father's income from selling cars kept dropping just as her mother's medical-transcription company started losing business to electronic record-keeping. Among the expenses cut from the family budget was health insurance.

The devastating thing for the Lupos is that they'd gotten Wells Fargo, their bank, to agree to a short sale. The Lupos had found a buyer who would pay market price for the house—short of what was owed—and Wells agreed to forgive the rest of the couple's debt. The sticking point was a second lien—a \$75,000 home-equity loan—owned by a different division of Wells. The buyer got spooked and walked. The Lupos have since moved into a rental house and now live in fear of the bank coming after them. "It's humiliating when you work so hard," says Scott. "But one day, we'll get back to where we were."

Which goes to show that for all the glimmers of hope in housing, there is still a long slog ahead. Because fundamentally, what a rational housing market means is that people can afford the homes they have and move to bigger ones only once they have decent and growing paychecks.

In other words, until the economy returns to full strength, neither will housing. For years, Americans acted as though one didn't have anything to do with the other: buying a house wasn't really about whether or not you could afford it. Buy and flip; refinance in between if necessary. Now that housing is working its way back to being logical, there's only one way to build value in houses. The right way. ■



## Extra Money

To read Justin Fox's daily take on business and the economy, go to [time.com/curiouscapitalist](http://time.com/curiouscapitalist)



# The Pay Crackdown

Regulating what bankers earn is all the rage in Washington. Why not simply raise their taxes?

KENNETH FEINBERG, THE WASHINGTON lawyer who had the thankless job of figuring out how to compensate victims of the Sept. 11 attacks, is now hard at work—as a “special master” appointed by the Treasury Secretary—figuring out how to compensate employees of corporations bailed out by taxpayers since last fall. The House and Senate are crafting legislation that includes “say on pay” shareholder votes on executive-comp packages and (in the House version) calls for regulators to vet incentive pay at financial firms on an ongoing basis. The Securities and Exchange Commission is for the first time attempting to claw back pay from an executive not because he did something wrong but because his company's earnings were improperly inflated by other execs.

In short, Washington is in the midst of a sweeping power grab over the compensation practices of corporate America. This makes me cringe, at least a little. The government's record at pay regulation is not encouraging. The wage and price controls of the Nixon era were quickly abandoned as unworkable. A 1993 attempt by Congress and the Clinton Administration to rein in executive pay by not allowing corporations a tax deduction on executive salaries above \$1 million turned out to be an object lesson in unintended consequences. Because it exempted performance-based pay, the new limit accelerated an already-in-the-works shift toward using stock options as the main piece of executive compensation. Far from being reined in, executive pay—with help from a bull market in stocks—skyrocketed.

When I run this example by Lucian

Bebchuk, a Harvard Law School professor who has supplied much of the intellectual firepower for the current pay-regulation campaign, he has a ready retort. “When they run out of good, substantive arguments, they come to the argument of unintended consequences,” he says of pay-regulation opponents. “We have seen the consequences of the lack of intervention in the last 10 years. We have lived with



that experiment.”

Fair enough. Certainly, at the government-supported firms where Feinberg will determine pay, the case for intervention is open and shut. They're taxpayer-supported entities, after all. Feinberg does face tough decisions, such as what to do about Andrew J. Hall, head of the money-making Phibro energy-trading unit of money-hemorrhaging Citigroup, whose performance-based contract could net him about \$100 million this year. One can extrapolate from Feinberg's past performance, though, that the veteran mediator will come up with a decent compromise—that is, one that leaves everyone unhappy.

The case for limiting pay at corporations not on government life support rests on two main arguments, Bebhuk says. Top executives are supposed to

answer to shareholders, but to a large extent they have been able to determine their own pay packages. Say-on-pay votes and other measures that empower shareholders and outside directors are meant to shift that balance of power. At banks, meanwhile, pay is simply one more risk factor that regulators should keep an eye on. “Once you accept that government is already regulating the business decisions of banks, I don't know why this particular business decision to compensate should be exempted from intervention,” Bebhuk says.

Would this intervention be flawlessly executed? Of course not. But if ham-handed pay rules drive risky, highly rewarded activities out of big banks and into smaller firms—if big banks become boring again—that might not be all bad, since smaller firms presumably pose less risk to the financial system.

As long as we're talking about ham-handed measures, we might also want to consider the most ham-handed pay regulation of all—progressive income taxes. It cannot be entirely coincidental that the great explosion in executive and

Wall Street pay began about the same time that Washington was slashing taxes on the highest earners. The top federal marginal rate plummeted from 70% in 1980 to 28% in 1988. (It's now 35%.) Some CEOs who are critical of the compensation status quo but who don't want government telling them how to pay people point to taxes as a possible answer. “I wish income was more equitable,” the head of a big financial institution told me recently. “I have no problem with paying 50% taxes or more. But government meddling with compensation practices is a bad idea.” Yes, raising tax rates would bring negative consequences: more incentive for evasion, less incentive for risk-taking and entrepreneurship. Lowering the top rate had its negative consequences too, though. It's a matter of which negative consequences we'd rather put up with.

**If ham-handed pay rules drive risky activities out of big banks and into smaller firms—if big banks become boring again—that might not be all bad**

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Please read the more detailed information about VYTORIN on the adjacent page.



To find out if you qualify, call 1-800-347-7503



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  - If you have active liver disease or repeated blood tests indicating possible liver problems.
  - If you are pregnant, or think you may be pregnant, or planning to become pregnant or breast-feeding.
  - If you are a woman of childbearing age, you should use an effective method of birth control to prevent pregnancy while using VYTORIN.
- VYTORIN has not been studied in children under 10 years of age.

### WHAT SHOULD I TELL MY DOCTOR BEFORE AND WHILE TAKING VYTORIN?

Tell your doctor right away if you experience unexplained muscle pain, tenderness, or weakness. This is because on rare occasions, muscle problems can be serious, including muscle breakdown resulting in kidney damage.

The risk of muscle breakdown is greater at higher doses of VYTORIN.

The risk of muscle breakdown is greater in patients with kidney problems.

Taking VYTORIN with certain substances can increase the risk of muscle problems. It is particularly important to tell your doctor if you are taking any of the following:

- cyclosporine
- danazol
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- fibric acid derivatives (such as gemfibrozil, bezafibrate, or fenofibrate)
- the antibiotics erythromycin, clarithromycin, and telithromycin
- HIV protease inhibitors (such as indinavir, nelfinavir, ritonavir, and saquinavir)
- the antidepressant nefazodone
- amiodarone (a drug used to treat an irregular heartbeat)
- verapamil (a drug used to treat high blood pressure, chest pain associated with heart disease, or other heart conditions)
- large doses ( $\geq 1$  g/day) of niacin or nicotinic acid
- large quantities of grapefruit juice ( $> 1$  quart daily)

It is also important to tell your doctor if you are taking coumarin anticoagulants (drugs that prevent blood clots, such as warfarin).

Tell your doctor about any prescription and nonprescription medicines you are taking or plan to take, including natural or herbal remedies.

Tell your doctor about all your medical conditions including allergies.

Tell your doctor if you:

- drink substantial quantities of alcohol or ever had liver problems. VYTORIN® (ezetimibe/simvastatin) may not be right for you.
- are pregnant or plan to become pregnant. Do not use VYTORIN if you are pregnant, trying to become pregnant or suspect that you are pregnant. If you become pregnant while taking VYTORIN, stop taking it and contact your doctor immediately.
- are breast-feeding. Do not use VYTORIN if you are breast-feeding.

Tell other doctors prescribing a new medication that you are taking VYTORIN.

### HOW SHOULD I TAKE VYTORIN?

- Take VYTORIN once a day, in the evening, with or without food.
- Try to take VYTORIN as prescribed. If you miss a dose, do not take an extra dose. Just resume your usual schedule.
- Continue to follow a cholesterol-lowering diet while taking VYTORIN. Ask your doctor if you need diet information.
- Keep taking VYTORIN unless your doctor tells you to stop. If you stop taking VYTORIN, your cholesterol may rise again.

### WHAT SHOULD I DO IN CASE OF AN OVERDOSE?

Contact your doctor immediately.

### WHAT ARE THE POSSIBLE SIDE EFFECTS OF VYTORIN?

See your doctor regularly to check your cholesterol level and to check for side effects. Your doctor may do blood tests to check your liver before you start taking VYTORIN and during treatment.

In clinical studies patients reported the following common side effects while taking VYTORIN: headache, muscle pain, and diarrhea (see What Should I Tell My Doctor Before and While Taking VYTORIN?).

The following side effects have been reported in general use with VYTORIN or with ezetimibe or simvastatin tablets (tablets that contain the active ingredients of VYTORIN):

- allergic reactions including swelling of the face, lips, tongue, and/or throat that may cause difficulty in breathing or swallowing (which may require treatment right away); rash, hives; raised red rash, sometimes with target-shaped lesions; joint pain; muscle pain; alterations in some laboratory blood tests; liver problems (sometimes serious); inflammation of the pancreas; nausea; dizziness; tingling sensation; depression; gallstones; inflammation of the gallbladder; trouble sleeping; poor memory.

Tell your doctor if you are having these or any other medical problems while on VYTORIN. This is not a complete list of side effects. For a complete list, ask your doctor or pharmacist.

### GENERAL INFORMATION ABOUT VYTORIN

Medicines are sometimes prescribed for conditions that are not mentioned in patient information leaflets. Do not use VYTORIN for a condition for which it was not prescribed. Do not give VYTORIN to other people, even if they have the same condition you have. It may harm them.

This summarizes the most important information about VYTORIN. If you would like more information, talk with your doctor. You can ask your pharmacist or doctor for information about VYTORIN that is written for health professionals. For additional information, visit the following web site: [vymorin.com](http://vymorin.com).

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**Defiant dissenters** Tens of thousands protested election results during Friday prayers at a university in Tehran

## Fighting Back. Why a government crackdown has failed to silence the Iranian street

BY ROBIN WRIGHT

**S**IX WEEKS AFTER MILLIONS TOOK to the streets to protest Iran's presidential election, their uprising has morphed into a feistier, more imaginative and potentially enduring campaign.

The movement's second phase includes calls to switch on every electric appliance in the house just before the evening TV news, to trip up Tehran's grid. It features quickie "blitz" street demonstrations, lasting just long enough to chant "Death to the dictator!" several times but short enough to evade security forces. It involves identifying paramilitary Basij vigilantes linked to the crackdown and putting marks in green—the opposition color—or pictures of protest victims in front of their homes. It takes the form of antiregime slogans scribbled on money and defiant drivers honking horns, flashing headlights and waving V signs at security forces.

The tactics are unorganized, largely leaderless and only just beginning. They spread by e-mail, websites and word of mouth. But their variety and scope indicate that Iran's uprising is not a passing phenomenon like the student protests of 1999, which were quickly quashed. This time, Iranians are rising above their fears. Although embryonic, today's public resolve is reminiscent of civil disobedience in colonial India before independence or

in the American Deep South in the 1960s. Mohandas Gandhi once mused that "even the most powerful cannot rule without the cooperation of the ruled." That quotation is now popular on Iranian websites.

Its impact varies, but Phase 2 has begun to exact a price from those who ignore the popular will. Fatemeh Haghighatjoo, a former member of parliament, told me that because of boycotts of goods advertised on state-run TV, some companies have cut back on advertising, and some stores have dropped advertised brands. A new boycott of text-messaging could be costing a state telecom company more than \$1 million a day. "There is optimism that protests will continue one way or another," says Farideh Farhi, an Iranian analyst at the University of Hawaii, "because people who are normally not rabble rousers are finding ways to counter the government crackdown."

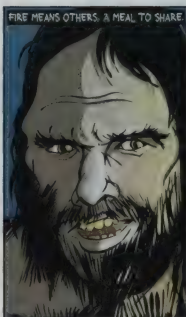
The new camaraderie of resistance was visible at the July 17 Friday sermon given

by former President Ali Akbar Hashemi Rafsanjani at Tehran University. Non-religious Iranians turned up for political reasons. The devout showed them how to carry out the rituals, with strangers handing out newspapers as prayer mats for overflow crowds. Men and women prayed together, a regime taboo. When Rafsanjani referred to detainees, the crowd interrupted by roaring. "Political prisoners must be freed!" At one point, another prayer official invoked Supreme Leader Ayatollah Ali Khamenei, who backed the crackdown, with "We are all your soldiers, Khamenei! We await your orders"—to which supporters of defeated presidential candidate Mir-Hossein Mousavi shouted back, "We are your soldiers, Mousavi! We await your orders!" And when told to shout "Down with America!" the crowd instead chanted "Down with Russia!" (Russian leaders had congratulated President Mahmoud Ahmadinejad on his re-election.)

The protests tap into a long Iranian tradition. The seeds of the 1905-11 Constitutional Revolution—which produced Iran's first parliament and constitution—were planted in the Tobacco Protest of the 19th century, when even women in the royal harem stopped smoking their water pipes to protest an exclusive concession given by the Shah to a British company. Protests, strikes and boycotts prevented Iran from becoming a British protectorate in 1920, secured the reappointment of reformist Prime Minister Mohammed Mossadegh in 1952 and—most significant of all—ended 2,500 years of dynastic rule in 1979 and ushered in the Islamic Republic.

The current uprising isn't as widespread as that of 1979. Yet the activism is creating a new political space in Iran. Rafsanjani, Mousavi and other opposition figures are responding to sentiment on the street rather than directing it. After meeting on July 20 with the families of people detained following the election, Mousavi warned the country's rulers, "You are facing something new: an awakened nation, a nation that has been born again and is here to defend its achievements." As Iran's second phase of protests continues, the regime's future may depend on whether it heeds that warning.

**What is happening in Iran today is reminiscent of protests in India in the 1940s or in the American Deep South in the 1960s**



# Did We Kill the Neanderthals?

The mysterious extinction of our sister species may reveal much about the roots of human nature

BY EBEN HARRELL

IT IS ONE OF THE WORLD'S OLDEST COLD cases. Sometime between 50,000 and 75,000 years ago, a Neanderthal male known to scientists as Shanidar 3 received a wound to his torso, limped back to his cave in what is now Iraq and died several weeks later. When parts of his skeleton were pieced together in the late 1950s and early '60s, scientists were stumped by the cause of the fatal rib wound. They hypothesized that it had resulted from a hunting accident or that it had been delivered by a fellow Neanderthal. But new research suggests Shanidar 3 may have had a more familiar killer: a human being.

Using modern-day forensics, Steven Churchill, an associate professor of evolutionary anthropology at Duke University, determined that Shanidar 3's wound was

most likely caused by a thrown spear. At the time of the Neanderthal's death, only humans, who had adapted their hunting techniques for the open plains of Africa, had developed projectile weapons. Neanderthals, who hunted in the close quarters of forests, used thrusting spears.

"There's only one species that had the sort of weapon to inflict this injury," Churchill says. "And that's us."

The study, published July 17 by the *Journal of Human Evolution*, contributes to a growing body of research that suggests contact between Neanderthals and humans was often violent and may have played a part in the extinction of our closest prehistoric relatives. Squat and hardy, Neanderthals evolved about 300,000 years ago and dominated Eurasia for more than

100,000 years, surviving an ice age. But the species mysteriously disappeared some 30,000 years ago, about the same time modern humans spread out from Africa.

So what happened? The murderous-human hypothesis, it turns out, is one of several competing theories. One popular theory is that a particularly volatile period of climate change about 45,000 years ago shrank Neanderthals' arboreal hunting grounds, and the species—incapable of using projectile weapons to hunt on open plains—starved to death. Other anthropologists believe Neanderthals were bred out of existence through coupling with humans, a theory that gained prominence after the 2006 discovery of a 30,000-year-old skeleton in Romania that seemed to have both human and Neanderthal features.

It's possible that the species' extinction was inevitable: for all the muscled brawn of its specimens, *Homo neanderthalensis* appears to have been surprisingly fragile on the whole—at least according to its genome. On July 17, scientists at the Max Planck Institute for Evolutionary Anthropology in Germany said they had found very little genetic diversity between strands of DNA from six Neanderthal fossils, indicating a small population. The researchers concluded that Neanderthals teetered on the brink of extinction throughout their existence,



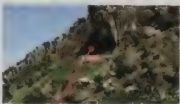
probably never reaching more than 10,000 individuals. In the end, huddled in small groups across a vast and inhospitable terrain, with their food supplies dwindling, Neanderthals probably succumbed to a variety of pressures rather than a single extinction event, this research suggests.

But that doesn't absolve humans, as Shanidar 3's rib injury demonstrates. To solve the mystery of this Neanderthal's death, Churchill and his team re-created it using a crossbow, some Stone Age projectiles and a pig carcass. (Pigs' skin and ribs are believed to be about as tough as Neanderthals'.) When fired at a velocity consistent with that of a thrown spear, projectiles left punctures in the pig's ribs that resembled Shanidar 3's isolated wound. By contrast, when Churchill stabbed a pig carcass with the force of a thrust spear, he found that the ribs "were busted to hell. The high kinetic energy had caused a lot of damage in the area."

Furthermore, Churchill calculated that the weapon that killed Shanidar 3 entered at about a 45-degree downward angle. "That's consistent with the ballistic trajectory of a thrown weapon, assuming that Shanidar 3—who was about 5 ft. 6 in. [1.7 m] tall—was standing," says Churchill.

Adding to the dossier of forensic evidence against *Homo sapiens* is a Neander

## Clues to Extinction



**The cave**  
Scientists found Shanidar 3's remains in the cave where he died in what's now modern-day Iraq



**The bones**  
Neanderthals may have had bigger brains, but humans appear to have inflicted deadlier wounds—to Shanidar 3's rib and to a Neanderthal jawbone



thal jawbone discovered by anthropologist Fernando Rozzi of the Centre National de la Recherche Scientifique in Paris. Rozzi found that the jawbone had been butchered in the same way humans carved up deer carcasses in the early Stone Age; he says humans probably removed and ate the Neanderthal's tongue and used the teeth to make a decorative necklace. "Neanderthals met a violent end at our hands, and in some cases, we ate them," Rozzi said at the time of the discovery.

For his part, Churchill is skeptical of Rozzi's claims and believes competition with humans was only one of many factors that led to the extinction of Neanderthals. Humans probably dealt with their stout, strange-looking cousins in a variety of ways, depending on the circumstances, he says. "I suspect that interactions were different all over the place, much like the European colonizers had different interactions with other races. In some places, the interaction was peaceful and there was interbreeding and cultural exchange, and in other places, it was pretty violent."

However the Neanderthals ultimately disappeared, the species Shanidar 3 encountered near his Iraqi home—a creature capable of both cooperation and violent confrontation—is most certainly the same species that dominates the globe today. ■



# Judd Shoots Joel

To see Apatow grill Stein about his chances of being on the cover, go to [time.com/apatow\\_cover](http://time.com/apatow_cover)





PROFILE

# Judd Apatow, Seriously

How did a neurotic, self-lacerating stand-up comedian from Long Island conquer Hollywood? He earned it

BY JOEL STEIN



**The jokers** Funny People's funny people, from left: Rogen, Apatow and Sandler

**J**UDD APTOW IS WORKING MUCH harder on this article than I am. He wants to meet at 8 a.m., suggests six different events I can accompany him to and sends me more e-mails checking on my progress than my editor does. The two-minute video interview that I promised TIME.com turns into Apatow taking my camera, directing me for 15 minutes and editing it himself. It's not entirely surprising—after all, I'm lazy—but it helps explain how Apatow has become the most influential person making comedy in Hollywood. Partly it's that he's funny. But mostly it's that talent is far less important to him than hard work. We like to think of comedians as people who throw out quips from behind a martini (Dorothy Parker) or a bong (Tommy Chong). But if Horatio Alger had written tales about boys who labored tirelessly to fulfill their dream of making movies full of penis jokes, he would have written about Apatow.

After he struggled for two decades in the worlds of stand-up comedy, television and movies, Apatow's plugging away suddenly paid off: he broke out as the creator of a genre of foulmouthed straight-man-love movies—the bromance. The first movie he directed, 2005's *The 40 Year-Old Virgin*, earned more than four times its cost at the U.S. box office. This enabled Apatow to produce all the scripts he'd been studiously stockpiling, making seven movies in 2007 and '08—*Knocked Up* (which he also directed), *Superbad*, *Walk Hard: The Dewey Cox Story*, *Forgetting Sarah Marshall*, *Drillbit Taylor*, *Step Brothers* and *Pineapple Express*—and inspiring a slew of imitators. He was the first to show that our porn- and profanity-saturated culture is actually underpinned by churchgoing morals. Crudeness became a cover for sensitivity; he created a generation of Alan Aldas who talk like frat boys. Compared with the comedies that dominated the 1990s—movies by the Farrelly brothers, Jim Carrey and Adam Sandler in which over-the-top characters triumph over an evil dumb guy—Apatow's movies are bildungsromans in which low-key guys push aside their comic books and triumph over themselves. Imagine *Porky's* if, instead of getting revenge on the strip club, Pee Wee

and Meat had a long talk about life goals, met nice girls and raised children.

Apatow's new movie, *Funny People*, is the one he hopes will turn him from a mass producer of comedies into a filmmaker. It has a tragic premise: Sandler plays a lonely, selfish comedian who has received a terminal-disease diagnosis. It's got no set piece to assure laughs—no chest-waxing like in *Virgin*, no crowning baby like in *Knocked Up*. It's complicated enough that it's the first movie Apatow has made that has a bad title, a bad poster and bad commercials. And if it doesn't do well, the creative freedom he has earned from studios could come to an end.

But for Apatow, the goal was simple. "I wanted to see how funny I could be without making the choice that every 10 minutes something big and visual had to happen," he says. "People like the comedy more when they care about the characters. That's what I learned from the last two movies. This movie is just taking that one step further." For all his sex-drenched crudeness, for all the e-mails he sends me worrying about ulcers, Apatow is a bouncy, way-too-happily married dad who wants his audiences to know how great life is. And, more important, to remind himself.

### The Comedy Nerd

BECAUSE APTOW IS A GUY WHO CAN GET into his own head, set up an office there and really go to work. A bearded 41-year-old in a uniform of striped short-sleeved Izods, he makes a lot of eye contact, has a friendly, nervous laugh and constantly plays with his right thumb. He seems more like a therapist than someone who sees one. But behind the approachable attitude, Apatow is superintense. He is rarely far from a Red Bull. On the nights he doesn't use sleeping pills, often the only way he can fall asleep is to listen to meditation courses on his iPod. He reads self-help books and rarely uses the words *project* or *idea*, greatly preferring the term *problem*. He's been racked with back pain and had a long bout with severe panic attacks; he'll still sit only on the aisle in a theater, in case he flips out and has to leave abruptly.

Almost all that neurotic energy has gone into his work. The child of divorced parents on Long Island, New York, he



lived in a different home than his two siblings did and spent a lot of time—as in from 3 p.m. to 11 p.m. every day—watching television. As a kid, he'd push his tape recorder against the TV so he could transcribe every episode of *Saturday Night Live*. At his high school radio station, he wangled interviews with comedians like Jerry Seinfeld, Jay Leno and Steve Allen; at 15 he started doing stand-up at clubs. He's such a giant comedy nerd that after proudly playing me snippets of his Garry Shandling interview from high school, he takes me into his office in his huge Pacific Palisades, Calif., house to show off a collection of autographed photos he just bought in New York—Sonny and Cher, Siskel and Ebert, Barbara Eden. Then there's the album of autographs he sent away for as a kid that includes a surprising number of headshots of Paul Lynde. It's as if Apatow



**All in the Family.**  
**The cast of *Funny People*, a.k.a. Judd Apatow's nearest and dearest. In some cases, literally**

**1. AZIZ ANSARI** A member of the comedy troupe Human Giant, Ansari has a role in next year's *Get Him to the Greek*

**2. RZA** The Wu-Tang Clan member flexes his comic muscle in *Funny People* (fellow rapper Eminem also appears in the movie)

**3. ERIC BANA** He's played serious and American in other movies, but he used to do his own sketch-comedy show in his native Australia

**4. IRIS AND MAUDE APATOW** Apatow's daughters are in the film but aren't allowed to see it. He says he'll cut a 15-minute, kid-appropriate version to show them

**5. LESLIE MANN** Apatow met his wife on the set of *The Cable Guy*; now she's a regular in his films

**6. JONAH HILL** Hill had one scene in *The 40 Year-Old Virgin*; Apatow later cast him in a leading role in *Superbad*

**7. ADAM SANDLER** He and Apatow were roommates briefly in Los Angeles about 20 years ago. This is their first movie together

**8. AUBREY PLAZA** An alum of New York City's Upright Citizens Brigade Theatre and the sitcom *Parks and Recreation*, she's a natural fit for Apatow

**9. SETH ROGEN** From his small role in *Freaky and Geeks* to his starring role in *Knocked Up*, Rogen is Apatow's go-to foulmouthed funny guy

**10. JUDD APATOW** He considered casting himself as Mann's husband in *Funny People* but gave the role to Bana instead

invited me over hoping I'd beat him up.

After high school, Apatow moved to Los Angeles to go to USC but dropped out after two years to focus on his stand-up act. He was tight with Sandler, Carrey and David Spade but came to feel that he couldn't compete with them onstage. So he started writing jokes for Tom Arnold and Roseanne Barr and, after approaching Ben Stiller in line at an Elvis Costello concert, took the helm of the Fox sketch comedy *The Ben Stiller Show* at the age of 24. There Apatow surprised everyone with his confidence and willingness to fight with network executives. "He burned bridges. He was not afraid," says Stiller. "He had the courage of his convictions. I don't know where he got that from. I was like, 'This is great, but maybe that sketch about the Weird Tales of the Dark Side where I turn into a monster for eight minutes isn't the greatest thing in the world.' But he would be like, 'No. Come on. We're doing it.'"

He fought even harder as an executive producer of *Freaks and Geeks*, the critically acclaimed high school series created by his friend Paul Feig, which lasted only one season. When Apatow's next show, the sitcom *Undeclared*, was canceled, he sent a messenger to the Fox executive responsible—the same guy who canceled *The Ben Stiller Show*—with a copy of a positive review from TIME and a note expressing his disbelief in extremely graphic terms.

Apatow was equally persevering in his personal life. He met his wife Leslie Mann, who co-stars with Sandler and Seth Rogen in *Funny People*, on the set of *The Cable Guy*. "I didn't think I would date him. I thought I'd send him on dates with my friends," she says during a *Funny People* recording session on their 15th wedding anniversary, which she and Apatow later celebrated by seeing *The Hangover*. "But he'd send his sister to keep telling me all the women he was dating. It was all part of his plan."

## The Feedback Machine

FOR ALL HIS MASTER PLANNING, APATOW as a moviemaker is known for his collaboration. His least favorite part of the process is writing, which for *Funny People* involved his speaking the characters' parts into a tape recorder. Even then, he'd call people for feedback. "The moment you think of a joke is the best moment," he says. "I put on a big show when I write something I think is funny. I'll talk about it a lot and call people and tell them, 'I thought of this joke where Steve Carell pees in his own face.' I'll talk about it like I cured a disease."

The real writing starts after casting, when Apatow re-creates his characters based on the actors. He's not interested in having anyone do a Meryl Streep-like



King of comedy Apatow, center, on the set of *Funny People*. The script is just a starting point

transformation. "Initially my character in *Sarah Marshall* was an English author, a bookworm character," says Russell Brand, the English comedian who played a rock star in the movie. "Eventually it was decided that no one could expect me to do any actual acting. I think he's very interested in truth, so he has a good intuition about people's essence." Sean (Diddy) Combs co-stars in next year's Apatow-produced *Get Him to the Greek*, in which Jonah Hill has to transport Brand's rock-star character to a gig at the Greek Theater in L.A. "I prepared the script like any audition," Combs says. "When I walked in, they took my script and said, 'You won't even need that.'"

On the set of every movie he produces, Apatow makes the director shoot and keep shooting, yelling suggestions at the actors until they're so worn down that they can't think of anything to say other than something personal—or funny. After a scene in *Get Him to the Greek*, director Nick Stoller runs off triumphantly, shaking his fists in the air. "We did it! We got Sean to make a gay joke!" he yells. "They got me. They turned me out," says Combs, shaking his head as he walks away. One night, with 1,300 extras at the Greek Theater at 11 o'clock, Apatow suggests yet another shoot of Brand's rock performance with pyrotechnics. He enlists his favorite argument: "Maybe it'll show up in the DVD extras."

Once Apatow has a three-hour-plus version of the movie, he shows it to every funny person in L.A. and asks for notes. "Judd is like a feedback machine," says Feig. "He wants feedback of the person he doesn't even like or trust. And he's got the brain trust of comedy at the moment, old and new." The next stop is test audiences—10 for *Funny People*. "We had a debate over

how much is too much for a comedian to talk about his penis and testicles," Apatow says. "The answer there is, No amount is too much for an audience. The F-word count is at *Goodfellas* levels. People are waiting for David Mamet's name in the credits."

Then Apatow gets back inside his own head and agonizes over the final details. On the last day to make changes to the *Funny People* print, he is sitting in the office building in Santa Monica, Calif., that his assistants call the Apatower, mulling over which of several jokes to put in. One dilemma: Should Sandler dislike Mann's elder daughter because she doesn't laugh at his jokes or because she's old enough to have her period? Mind you, this is Apatow's real daughter who's playing the character—so when he asks me, as a warm body in the room, for my opinion, I keep quiet. On the last day of sound-editing, I suffer through a painful hour in which Apatow can't decide on the third song during the closing credits—which no one in the theater will stay long enough to hear, other than maybe the people in the room who are making this decision.

These people tend to be familiar faces. Apatow gravitates toward the same editors, directors and actors—a community, population 30 or so, known as Apatown. After *Freaks and Geeks* was canceled, he hired Rogen, an actor on the show, to write for *Undeclared*. "I don't think he even cared if any of us could write," Rogen says. "He just cared that we wanted to write and figured he could shape us into writers." Stoller, another young writer on *Undeclared*, was hired by Apatow to direct *Forgetting Sarah Marshall* despite having no directorial experience. Andy Dick, who got his start on *The Ben Stiller Show*, has had small roles



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■ Francesco Zizola

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in a handful of Apatow's projects. "Judd has given me a chance from when I was a nobody to when I have publicly reduced myself to being less than a nobody by my public, drunken, stupid-ass shenanigans. I literally started crying when he told me he wanted me to do a part in *Funny People*," says Dick, who indeed starts crying. "Everybody in this town is worried about who they associate with. Nobody is that good."

Apatow often serves as a mentor to the young people in his comedy troupe. The advice he hands out is exactly what he learned from watching Carrey and Sandler: They succeeded by writing their own movies to star in, so start typing. He barely knew Jonah Hill, now 25, when he hooked him up with a scriptwriting deal. "I was living at home, getting my tonsils taken out, and I was getting an e-mail from Judd saying, 'Here's your Universal movie deal. Now write down 100 ideas,'" says Hill. "My parents were like, 'Is this guy touching you?'"

Jason Segel, another *Freaks and Geeks* alum, says Apatow told him he was too weird to get cast in roles he didn't write for himself, so Segel turned his own breakup into *Forgetting Sarah Marshall*. Years earlier, on the *Freaks* set, Apatow instructed Segel to write the sad love song his character was supposed to sing and play on guitar. "This was Wednesday, and we're going to film on Friday," says Segel. "I said, 'But Judd, I don't know how to play guitar.' He said, 'You have until Friday. You'll figure it out.'" And Segel did. "It's sort of like having a great sensei from one of those old karate movies," he says. "He's like Mr. Miyagi. You don't know why you're doing 'wax on, wax off,' and he says, 'Show me 'wax on, wax off'—then you've sold a script."

### "He Likes People"

THE THING ABOUT THE PEOPLE APATOW mentors is that they're all men. His films are about men growing up and men helping men grow up and men being just shy of gay as they tease one another about being gay as they help one another grow up. There are smart, successful women in the movies, but other than his wife, they never join the troupe. "We're all really uncomfortable around girls, for the most part," says Rogen. "I imagine that has something to do with it." This annoys a lot of critics, male and female, as well as some viewers, but Apatow insists the female roles in his movies are just as real as the male ones. He's producing films written by and starring Kristen Wiig and Charlyne Yi; if those movies have lots of women calling one another lesbians and making self-deprecating vagina jokes, then Apatow can check off one more box on his self-improvement list.

All his characters, after all, strive to be

## Apatow on Apatow. The director's notes on his three films



### THE 40 YEAR-OLD VIRGIN

"I was not a virgin until I was 40, but I probably am less comfortable sexually now, after two kids, than he was at the beginning of the movie. Should I see someone?"



### KNOCKED UP

"When my wife was pregnant, she did throw me out of the car on the way to the gynecologist. If I told you she was wrong, she would do it again, so let me be clear: it was all my fault."



### FUNNY PEOPLE

"When I lived with Adam Sandler, he did in fact often ask if he could see my male member, but only because he wanted to know what he was dealing with."

better people. "There's a thread going all the way from *Freaks and Geeks* to *Funny People*," says Shandling, for whom Apatow worked as a writer on *The Larry Sanders Show* in the mid-'90s. "That philosophy is, We're all doing the best we can in life. It isn't easy. It's just a little funnier than Buddha Buddhism." When I ask Apatow if he sees himself having a career like those of two filmmakers known for the dramedy mode—Woody Allen and James L. Brooks,

who made *Terms of Endearment* and *Broadcast News*—he gets way more excited about the Brooks comparison. "Woody Allen isn't very hopeful about human beings," he says. "Jim Brooks is hopeful. He likes people."

*Funny People* is the first time he's put his philosophy front and center. The *40 Year-Old Virgin* was an idea Steve Carell had from doing improv. *Knocked Up* drew on Apatow's experiences of becoming a father, but it borrowed heavily from Rogen's foulmouthed stoner worldview. This was the knock against Apatow, which he mocked in a famous heated e-mail exchange with Mark Brazil, a co-creator of *That '70s Show*, who accused him of stealing one of his ideas for a *Ben Stiller Show* sketch and then wished cancer on him. Apatow wrote, "As for the cancer, I'll wait till you get it and then steal it from you. By the way, that joke was one of my writers' [Rodney Rothman (see, I credited him.)] When Apatow asks me how I'm doing with this article and I tell him I've been stymied by laziness, he sends me an e-mail that reads, 'The reason you are having trouble is the same reason why I quit stand-up—I am not that interesting.'"

But in *Funny People* his life gets some screen time. The movie starts with 20-year-old clips Apatow shot of Sandler, his then roommate, making prank calls. "It was like the old days when we lived together, except my trailer smelled better," Sandler says. The story is about an experience with a friend's sickness that Apatow, usually so open about his life, refuses to talk about. In the movie he has something very clear to say, which in its Shel Silverstein essence is that happiness comes from selflessness and living in the present, not from burying yourself in work.

That idea does not come naturally to Apatow. "I would look through a journal from 12 years ago, and it would say, 'You work too hard. Take some time off. You should work out. Go to Europe,'" he says. "I stopped writing in a diary because it became so repetitive." So now he says he's taking his first year off. "If I go right back to working, then I seem like a crazy person who didn't learn the lesson of his own movie," he says. "You want overlap so if this one bombs, you're already on production as a safety net. But I'm trying to see if I have the courage to sit in that empty space and ponder."

When I tell Rogen about Apatow's planned sabbatical, he just laughs. "What year—2030? He's got this movie to promote, then *Get Him to the Greek* is in post-production and then two movies he's producing," he says. "He may say that, but he'll write a movie during that time." I think Rogen underestimates Apatow's work ethic. I'm betting he writes nothing. And that his back kills him. ■



Steve McQueen drinking coffee. Naked.

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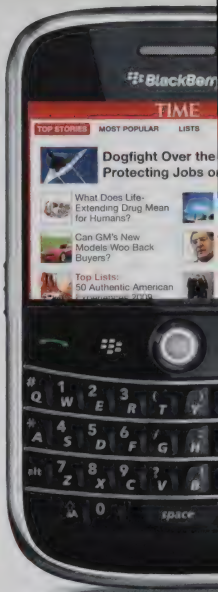
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# Life

□ CASH CRUNCH □ HEALTH □ GAMES □ FAMILY TECH □ WEB WATCH



## CASH CRUNCH

**Let's Make a Deal.** In this economy, shoppers are haggling everywhere—even at big retail chains—and are coming out on top

BY SEAN GREGORY

THINK YOU SHOULD HAGGLE only when buying a car or shopping in the streets of Morocco? In this recession, if you're not bargaining for everything everywhere, you're needlessly draining your wallet. According to the consulting firm America's

Research Group, in October, 56% of consumers said they had recently tried to negotiate at retail outlets other than car dealerships. Of those hagglers, 50% got deals. When the company repeated the survey in May, 72% of consumers said they had tried to haggle, and a stunning 80% were successful. "What you can do today is un-

### HOW TO HAGGLE

**1** Print out better deals you can get elsewhere and show them to the salesperson. **2** Won't budge? Politely ask for a manager. **3** Be upbeat and always compliment the product (and person)

believable," says Herb Cohen, an expert dealmaker and the author of the 1980 classic *You Can Negotiate Anything*. "Americans may finally learn that price tags weren't put there by the big printer in the sky."

In this buyer's market, any item is now fair game. Shoppers are scoring deals on cell-phone plans, meat, furniture,

even nursing homes. One Florida woman knocked off nearly half the price of a \$3,875-per-month room for her father, who suffers from dementia.

Bargain hunters are also successfully negotiating discounts at big-name chains. For example, Duke Dougherty, a rookie haggler in Wiliston, N.C., asked for—and received—10% off a \$4,000 John Deere lawn mower at Lowe's, even though the sale offer had expired. Dougherty, who works in the aerospace industry, told the rep he had his checkbook ready but would walk away unless he got the deal. "Hell, \$400 is \$400," he says. "It was kind of a trip I pulled that off."

Like many other first-time hagglers, Dougherty started out feeling a little sheepish and ended up finding the process rather exhilarating. But while buyers have the upper hand in this economy, there's still a fine art to the haggle. To learn it, we asked Teri Gault, who runs the popular savings website TheGroceryGame.com, to show us her style. Gault

turned a cost-cutting hobby into a career and says she gets a runner's high before haggling. She starts talking fast. She's pumped up. She's a bit strange.

But she's good. Really good. First stop is a New York City jewelry shop, where she wants to buy two gold chains. "You've got such a nice selection," she tells the salesman. Always butter 'em up. Gault borrows another sales technique by inching into the seller's personal space—not in a menacing, I'm-going-to-steal-something way but in an enthusiastic, we're-on-the-same-team way. At first the salesman looks suspicious but quickly decides that she's serious about buying (and that this isn't a stickup).

Gault scores a discount on one chain and then says she'll buy a second one if the store throws in another price cut. The jeweler agrees. Gault calls this strategy layering: once sellers agree to one deal, quickly hit them up for another. They just might be in a giving mood. Gault pays \$215 for \$270 worth of jewelry.

## While buyers have the upper hand in this economy, there's still a fine art to the haggle

Next she heads to Sports Authority. This appears to be a lost cause. The price of a sports watch she wants is \$69.97, and the retailer is sticking to it. Yet Gault refuses to give in and offers this Hail Mary: "Is there a box for that watch? If not, can you shave something off?" The result: no box, a 10% discount and a reminder to always make sure no fixin's are missing. Since retailers can't afford to lose you these days, no demand is too peculiar.

At Whole Foods, the upscale organic grocer that frowns on haggling in its pristine stores, Gault scours the bacon packages in search of one whose sell-by date has come and gone. She finds one and launches into shock-and-awe mode, firing questions at the guy behind the meat

counter about possible combo deals that would include an unexpired package. After some back-and-forth, Gault winds up with two \$6 packages of bacon for free. In the haggling world, getting free cured meat from Whole Foods is like winning the Super Bowl by eight touchdowns. Check those packages.

The last stop is Best Buy. Gault shows a salesman a printout: a webcam listed at \$135 in the store is going for \$110 on the Internet. The salesman flatly refuses to match the lower price, citing store policy. Gault politely asks for a manager. As seasoned hagglers know, this person has the power to be your best friend.

When the manager arrives, Gault asks her to at least meet her halfway. But the manager does one better and gladly agrees to match the Web price.

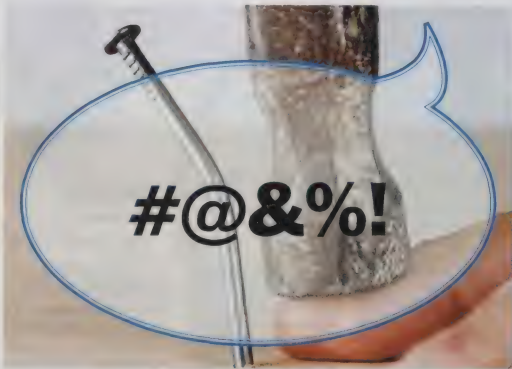
"When's the next plane to Vegas?" Gault asks. Four stores, four deals. In today's economy, however, haggling may not hinge on luck. Maybe all you really have to do is ask. ■

## Haggling Victories. New items, negotiated prices



## HEALTH

# Why Swearing Is Good for You. It not only vents frustration, but a new study shows it actually alleviates physical pain



BY TIFFANY SHARPLES

THERE IS A CERTAIN FOUR-letter word that is forbidden in polite company but often uttered by women in labor. According to a study in the journal *NeuroReport*, saying the F word can do more than vent frustration: it can actually reduce physical pain. To prove

this, psychologists at Britain's Keele University asked 64 college students to immerse their hand in ice water for as long as possible. In one go-round, the students were allowed to repeat a curse word of their choice while they endured the painfully cold water; in the other, they were asked to use a nonexpletive. Swearing not

only allowed students to withstand the discomfort longer but also decreased their perception of pain intensity.

The study found that when participants used a curse word, their heart rates were consistently higher—a physiological response consistent with fight or flight—than when they were repeating a neutral word.

"In swearing, people have an emotional response, and it's the emotional response that actually triggers the reduction of pain," says Richard Stephens, the study's lead author.

"Swearing probably comes from a very primitive reflex that evolved in animals," says Steven Pinker, a Harvard psychologist and the author of *The Stuff of Thought*, an exploration of the psychology of language. "In humans, our vocal tract has been hijacked by our language skills," so instead of squealing in pain, "we articulate our yelp with a word colored with negative emotion."

But next time you drop the F bomb, consider this: in Stephens' study, cursing reduced the perception of pain more strongly in women than in men. That may be because in daily life "men swear more than women," says Pinker, which could have a dulling effect on these verbal painkillers in men. "That's one of the reasons that I think people should not overuse profanity," says Pinker. "That's not because I'm a prude but because it blunts [swearwords] of their power when you do need them. You should save them for just the right occasions." ■

## GAMES

## Look Out, Scrabble. Wordplay that doesn't take turns



With more than a dozen fan groups on Facebook and a forthcoming iPhone app, Bananagrams may be the most popular game you've never heard of. From a first order two years ago of 5,000 banana-shaped pouches filled with plastic letter tiles, the game has proved to

be a word-of-mouth hit, with 2 million units expected to be sold this year.

Much like a simplified Scrabble, Bananagrams has players arrange tiles in intersecting words, but with no board or point values to keep track of. Everyone plays simultaneously,

and the first one to use all her tiles wins.

The Rhode Island family that invented the game—and that plans spin-offs in the shape of pears and apples—has kept control of the company. Granddad's new title: top banana.

—BY DEIRDRE VAN DYK ■

## FAMILY TECH

# Tricycles for Adults. Trikke's new electric hybrid still gives you a real workout but also lets you coast home



BY JOSH QUITTNER

ONE REASON I'M WARY OF action sports is that I'm a bit of a spaz. I first learned this 45 years ago when, while bicycling, I turned to stick out my tongue at a girl and crashed into a pole. I totaled my three-speed and nearly my body. Since then, I have broken both legs—one skiing, the other playing foot ball. I tried mountain-biking a few years ago and took an epic spill on my first downhill.

So I was understandably a little anxious recently when I climbed onto a three-wheel, electric-powered scooter capable of going 18 m.p.h. (almost 30 km/h). Trikke (pronounced trike) has been making odd-

looking tricycles for two decades, but its new Tribred Pon-e (pronounced pony) has an electric motor that can help you get up hills or drag your tired butt home. Like all other Trikkes, it lets you generate momentum by simply shifting your weight on the thing's wishbone platform. The side-to-side motion, which feels similar to carving your way down a ski slope, is what propels you.

**You generate momentum by shifting your weight on the thing's wishbone platform**

Trikkes can easily fold up and fit in the trunk of a car, but unlike the company's strictly human-powered vehicles, which start at \$250 for adults, the Pon-e is very pricey at \$1,700. While some previous Trikke models had short-lived lead-acid batteries, this is the first with a lithium-ion battery that can power the Pon-e for up to 20 miles (32 km). And that's if you don't move your legs at all. Sam Jayme, a Trikke rep, points out that if you know what you're doing, you can get 100 miles (about 160 km) from it in a day. The battery snaps out, so you can plug it into an outlet in your home or office. Trikke estimates that it takes five hours for a full charge, which would add about 7¢ to your electricity bill.

After an hour or so of training from Jayme, I started to get the hang of moving under my own steam. From a fitness perspective, the Trikke is low impact and feels a bit like an elliptical machine in the gym. It works your legs and upper body. Once you get used to it, it's an enormous amount of fun. I brought the Pon-e home for a week and got confident enough to take it for some pretty good rides around town. My best moment was tailing a tiny electric car, presumably with a smug environmentalist behind the wheel, on a narrow road. I considered following him all the way home and leaving a note on his windshield: "Nice ride, volt guzzler!" But remembering the hubris of my youth, I opted instead to keep my eyes on the road.

## WEB WATCH



## Back-to-School Gadgets. See TIME.com's top 25 picks

For college-bound kids, this is prime gadget-hunting season. Laptops are a must-have, but even a relatively light model will strain your back if you're carrying it around all day—which is pretty much a given for most students. That's why our list of the 25 best back-to-school gadgets (time.com/school\_gadgets) includes a backpack with plenty of padding, comfy shoulder straps and an abundance of zipped compartments but not too much bulk. Incase Designs' nylon backpack comes with two roomy zipped compartments, a reinforced pocket to protect your laptop and mesh pouches for your cables and mouse. There's also a smaller zipped pocket for your MP3 player or cell phone. This backpack ain't cheap at \$99, but its padded shoulder straps and "breathable" mesh back panel are designed to keep aches and pains at bay. And you're worth it. (Right, Mom and Dad?)

—BY BEN PATTERSON





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# Arts

MOVIES BOOKS

## MOVIES

**Rescue at Sea.** In the searing documentary *The Cove*, the man who trained Flipper leads a crusade to save dolphins from slaughter

**The aquatic Lassie** The TV series Flipper helped create a demand for trained dolphins



BY MARY POLS

**THE COVE**, A SPECTACULARLY COMPELLING documentary that was as well financed as it is well intentioned, starts with a glimpse of seeming paranoia. A man in his late 60s is driving, anxiously checking his mirrors and talking about the people he's sure are pursuing him. He's wearing a surgical mask and gives the impression of Jason Bourne as a possibly batty senior citizen, still dodging bad guys and, maybe, swine flu.

It turns out he's Ric O'Barry, a forgotten face from 1960s pop culture. As a young man, he captured and trained Flipper—or rather, the five dolphins that played that beloved cetacean. He became a passionate opponent of keeping dolphins in captivity after the death of one of the Flippers, a bottlenose named Kathy. Now he's a crusader on a mission: In a small, isolated cove in Taiji, Japan, where O'Barry has become a part-time resident (and pest), thousands of dolphins are being trapped and slaughtered every year. Since 2003, O'Barry has been desperately trying to expose and stop this legal but secretive practice.

The irony is that O'Barry believes he's partly to blame. The dolphins that are killed are the leftovers from searches to find performers for aquatic parks, places that might not exist if hadn't been for Flipper mania. It's a lucrative trade. O'Barry says a trained dolphin can sell for as much as \$150,000. In Taiji, the public is welcome to watch the selection of dolphins by trainers. What most people aren't allowed to see is what happens afterward, when the ones that didn't make the cut are moved to the next rockbound inlet over and stabbed to death by fishermen. It's legal to fish for dolphins in Japan, and the filmmakers estimate that 23,000 dolphins are "harvested" there annually. The dilemma faced by activists, including O'Barry, Greenpeace and, ultimately, the director of *The Cove*, Louie Psihoyos, was how to get

visual evidence of these massacres to build support for protecting dolphins as whales are protected. The area is heavily guarded, by fishermen and police. Taking even a cliff-side peek entails trespassing.

A former *National Geographic* photographer who now leads the Oceanic Preservation Society, Psihoyos learned about Taiji from O'Barry in 2005. He was horrified. "I told him, 'We'll fix this,'" Psihoyos says. Easier said than done. But if O'Barry embodies guilt-ridden heartbreak (his mea culpa feels like the theme-park world's version of Robert McNamara's in *The Fog of War*), the tall and handsome Psihoyos is the picture of confidence. He's also friends with Netscape billionaire Jim Clark, a very good thing to be if you're trying to fund a documentary. (Clark executive-produced it.)

Psihoyos refers to the team he recruits, which includes a moldmaker from Industrial Light & Magic and a pair of champion deep-sea free divers, as being like Ocean's Eleven. He's kidding. Sort of. The goal is a lot worthier than emptying the vault at a Las Vegas casino, but in terms of style, that's what *The Cove* is emulating. Characters are introduced with a flourish—the daredevil, the soulful surfer, the bumbling cops—and Psihoyos takes the George Clooney role. (He's got the tan and the big white teeth.) There's time-lapse photography, footage shot on infrared film and some nail-biting moments that are milked for melodrama. *The Cove* is slick and smart and, in its real-life urgency, puts Hollywood capers like *Mission: Impossible* to shame.

And, crucially, it delivers. This is like

**Director Louie Psihoyos refers to the team he recruits as being like Ocean's Eleven. He's kidding. Sort of**



**Furtive footage** Psihoyos, above left, meets with artists from Industrial Light & Magic to construct fake rocks containing hidden cameras

**Breathe deep** Free diver Mandy Rae Cruickshank, left, part of The Cove's team

seeing baby seals clubbed to death, except that as adorable as baby seals are, no one has yet made a case for their being potentially smarter than humans, which is exactly what *The Cove* does for dolphins. To watch bleeding dolphins struggle for their last breath, to actually hear their agony, is devastating. Even if you would never eat dolphin meat, you feel culpable just for being part of the species that can teach another mammal tricks, reward it with snacks and pats and at the same time be capable of getting up at dawn to poke it to death with spears.

So what does this mean for the Japanese? There's something about the way the fishermen look, pulling hard on their cigarettes as they stare down at the reddened waters of the cove, that suggests the task isn't exactly easy for them. Some would argue that dolphin-fishing is their cultural right and that foreigners should stay out of their business (i.e., the sale of dolphins for meat, at about \$600 a head). The film counters with a fleet of scientists flown in (more money!) to unearth evidence that no one should be eating dolphin meat; samples were toxic with mercury. The filmmakers hope *The Cove* will spark a change in Japanese policy, but they'll need help from audiences willing to do more than applaud. (At Sundance, the film won the Audience Award for documentary.)

David Bowie's "Heroes" plays over the closing credits, and with its lyrics about swimming like dolphins and the line "We can be heroes just for one day," it is an apt choice. There's an element of self-aggrandizement—we sense the filmmakers consider themselves heroes already. I wouldn't argue against that. This is a philanthropic mission, and Psihoyos and his team get their heartbreaking work done. You just hope the hint of boastfulness doesn't dilute the message, because when you're mopping up your tears after *The Cove*, you want this film to make a difference.



## MOVIES

# Why Netflix Stinks. A film lover's minority opinion about the popular online DVD-rental site

BY RICHARD CORLISS

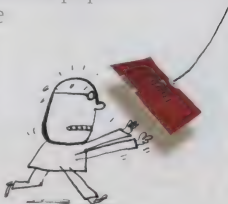
IT'S FRIDAY NIGHT, AND YOU WANT to watch a movie at home with that special someone. You could go to a video store and rent a film, and instantly it's yours; popcorn extra. Or you could go to Netflix, and the movie will arrive, earliest, on Tuesday. Here's hoping you had a Plan B for your big date.

Ah, but you love Netflix, the online rental service that delivers movies and TV shows to your mailbox. Since its start in 1999, the company has sent more than 2 billion discs to its 10.6 million subscribers, who return them in the familiar red envelopes for more titles. (Think of Amazon.com, but as a DVD-lending library instead of a bookstore.) Wall Street generally likes Netflix, whose Nasdaq stock price has more than doubled since last fall, and so does the public; the company has the No. 1 customer-satisfaction rating among online retailers.

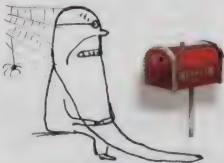
As a professional (and obsessive) movie watcher, I find Netflix a helpful reference source for my never-ending entertainment education. (B-movie serials! BBC miniseries! Bollywood musicals!) But I have misgivings about the service's usefulness, especially compared with that of a real, well-stocked video store, and about the possibly harmful effect that Netflix and other online retail outfits may have on American society.

No question, Netflix serves a need. It's a virtual video store with more than 100,000 titles—movies and TV shows. And it's cheap: for the four-at-a-time price of \$23.99, you could conceivably see about 50 videos a month—if you devoted your life to the task. In a deep recession, Netflix has also taught film fans that renting a movie or TV series not only is way less expensive than buying but also takes up no shelf space when you move from your foreclosed home into your parents' basement. That could be one reason DVD sales declined 13.5% in the first half of 2009, while Netflix revenues were up 21% in the year's second quarter. At the same time, movie attendance has surged 8% this year. People are watching more, owning less.

A Netflix ad has one contented couple purring, "We don't miss the video store at all." Well, I do. Specifically, I miss Kim's Video, a lower-Manhattan movie-rental landmark that housed 55,000 DVDs and cassettes of the vastest and most eccentric variety—until it closed early this year and shipped the whole stash to Sicily. Admitted-



**THE WAY ...** Gee, movies mailed right to my home—none of that arduous driving to the video store!



**... AND THE WAIT** The films should arrive any day now. I wonder if the mail carrier took a long lunch



**... AND THE WEIGHT** I'm getting sedentary here alone with my movies. And now all my friends are virtual

ly, Kim's was one of the gems, but cities large and small used to have video stores with all manner of movies that you could see right away. With Netflix, you surrender those basic American rights: impulse choice and instant gratification. You must cool your jets for two to four days, dependent as you are on both the skill of Netflix employees to put the correct movie in your envelope (sometimes they don't) and the speed of the U.S. Postal Service. By the time a video arrives, you may have forgotten why you rented it.

## Wait Time: Eternity

PUT MOVIES IN YOUR RENTAL QUEUE AND most will be marked "Now" for immediate rental. Some, however, will be designated "Short Wait" or "Very Long Wait." That often applies to old films that have a sudden surge in popularity and of which Netflix has only a few copies. (Did you want to compare the original *The Taking of Pelham One Two Three* with this summer's remake? At Netflix, you could have waited five weeks to see the 1974 film.) Other titles, which may have vanished from the stockroom, are called "Unavailable"; the wait time for those could be eternity.

Most online retailers try to interest customers in items similar to ones they've bought. Netflix offers "Movies Most Like..." but the similarities can be baffling. Rent the Indian drama *Fiza* and you'll be pointed to Season 1 of *Scrubs* and the Bakker biopic *The Eyes of Tammy Faye*. This is when I yearn for the guys behind the old Kim's counter. Not that every video-store clerk is a budding Quentin Tarantino, eager to point renters toward some arcane masterpiece from Italy or Hong Kong, but you do miss out on a face-to-face with a knowledgeable cinephile.

Beyond the mail delays and the botched orders, the lack of human interaction is the big problem with Netflix and its cyber ilk. Thanks to the Internet, we can now do nearly everything—working, shopping, moviegoing, social networking, having sex—on one machine at home. We're becoming a society of shut-ins. We deprive ourselves of exercise, even if it's just a stroll around the mall, until we're the shape of those blobby people in *WALL-E*. And we deny ourselves the random epiphanies of human contact.

Getting movies by mail is, Netflix hopes, just a stage between the Blockbuster era of video stores and the imminent streaming of movies. You can already get 12,000 Netflix titles on your TV (if you have a Blu-ray player or spring for a \$100 Netflix box). So, O.K., soon there will be no more waiting for DVDs. But it'll come at a price. You'll be what the online corporate culture wants you to be: a passive, inert receptacle for its products.

Me, I'd rather go out to the movies. Or to a video store, even if it is in Sicily. ■

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## BOOKS

# Master Stroke. *Swimming*, Nicola Keegan's debut novel, understands that life is most interesting at the deep end

BY RADHIKA JONES



IF YOU'VE EVER WONDERED what deep thought might pass through the mind of a champion swimmer being honored as *SPORTS ILLUSTRATED*'s female athlete of the year, flip to page 220 of

Nicola Keegan's novel *Swimming* (Knopf, 305 pages), on which Philomena (Pip) Ash, fictitious Olympic gold medalist and the novel's heroine, observes that "it will be the only night in my life where I will dine almost entirely surrounded by people taller than myself."

Yes, it's lonely up there at 6 ft. 2 in. and at the pinnacle of athletic achievement—and a writer could spend her whole career trying to craft a line that says so while also being deadpan hilarious. This is Keegan's debut, and she doesn't even hang out at the pool. ("I don't like chlorine," she says in a promotional video clip about the book. "It makes my eyes

sting.") Nevertheless, she has written an ambitious and exhilarating novel about a girl for whom swimming is as vital as breathing.

Pip, who tells her story in the first person, is a difficult infant whose frustrated parents try her out in the water. "I kick; it moves me, and I feel joy," she says, which is the simple secret of her eventual success. Until then, she's stuck in the trappings of a tearjerker minibiopic: in small-town Kansas with a sister dying of Hodgkin's disease, a mother and father in emotional retreat and a Catholic school full of nuns who have no respect for the art of the 200 free.

This territory could get mawkish fast but for the muscular energy of Keegan's prose. It works in bursts—short, punchy clauses and chapters—and Pip's voice is wryly comic, even when events turn tragic. When things go well, she's gloriously, darkly intuitive. (Here she is on the Olympic podium: "The national anthem starts to wail, creating a dreaded musical pressure in my chest as the flag slowly rises in a celebrating the dead kind of way. Something churns and my mind says: *Wow! This is exactly like a giant funeral!*") And for a world-class swimmer, she's not obsessed with swimming. Or rather, the novel isn't. Swimming really is like breathing for Pip—so integral to her life that it goes virtually unnarrated. What that means for readers is that we can relate to her; she may be amphibious to the outside world, but inside she's warm blooded.

Keegan is smart about where she roots the suspense in her novel. Pip's Olympic quest may be ripped from Michael Phelps' headlines, but we don't have to sweat a photo finish. We know she'll get gold from the epigraph, a quote from her coach that's another deliciously ironic swipe at the double edged sword of accomplishment: "If this exceptional athlete wore all the Olympic gold medals she has won in her long career and jumped into a pool, she would sink." What we find out is how much Pip's triumphs cost and how they change her. The story may not lend itself to a neatly plotted ending, but with a novel as fun and imaginative as *Swimming*, you're quick to forgive such a minor failure. It deserves a medal for taking the plunge. ■



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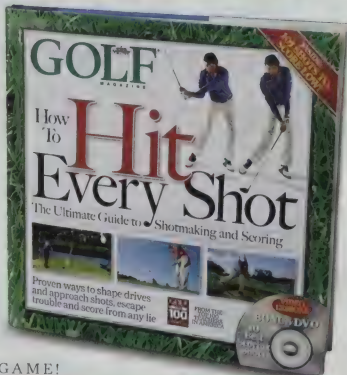
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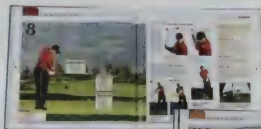
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# Short List

TIME'S PICKS FOR THE WEEK



## 1 DVD This Is Spinal Tap

Talk about high-def. The fake heavy-metal band (a.k.a. Christopher Guest, Michael McKean and Harry Shearer) celebrates its 25th anniversary on sparkly Blu-ray. The pioneering mock rock doc looks great, and the edition's extras are as deadpan funny as the movie. On a scale of 1 to 10, this gets an 11.

## 2 MOVIE You, the Living

The movies' most precise architect of comic despair, Swedish director Roy Andersson (*Songs from the Second Floor*) uses a fixed camera to shoot tableaux of embarrassment and offhand pain that are both funny and poignant. Get on his wavelength and you'll cry laughing.

## 3 ALBUM Here We Go Again

Disney spawn Demi Lovato, 16, is tarter than Miley Cyrus—better too. She trots along with the pleasant pop that dominates her second album, but when tested by the jagged “Got Dynamite,” Lovato lets rip with range and emotion that sound bracingly unmanufactured.

## 4 DVD Repulsion

Trapped by her demons in a London flat, pristine blonde Carole (Catherine Deneuve, in her early 20s) lurches into picturesque insanity. Roman Polanski's 1965 study of emotional claustrophobia remains a top entry in the see-the-pretty-lady-go-crazy horror genre.

## 5 SONG Ayo Technology

“No. 1 in Belgium” is not usually a compelling reason to download a song. But Belgian singer-songwriter Milow's acoustic cover of this 50 Cent track, slowly making its way across the Atlantic, transforms Fitty's bawdy original into a riveting and tense ballad.



## Werner Herzog's Short List

A celebrated Academy Award nominee, Herzog has produced, written and directed more than 50 films. In his new book, *Conquest of the Useless: Reflections from the Making of Fitzcarraldo*, he recalls the grueling shoot of that masterly film, the story of a man who sets out to build an opera house in the Peruvian jungle. Here Herzog shares his own favorite reads and a place to find miracles in Los Angeles.

**The quintessential detective story**  
The best and most convincing detective work I have ever read is the unabridged Warren Report. What an achievement in logic and fine prose. Everybody doubts this report, but nobody has read it.

### Conrad's heir

*All the Pretty Horses* by Cormac McCarthy is my favorite book by my favorite living American author. I have not seen a better sense of language and style since Joseph Conrad.

### A constant literary companion

Bruce Chatwin had Ernest Hemingway's *First 49 Stories* in his rugged leather rucksack on his travels all the time. Hemingway chose the best story to open his collection: “The Short Happy Life of Francis Macomber.”

### House of wonders

The Museum of Jurassic Technology is a place of the most wonderful fantasies, full of miracles and invented realities. The exhibits of real objects acquire the quality of fever dreams. A must for all visitors to Los Angeles.

### Planetary melodies

Ernst Reijseger's *Requiem for a Dying Planet* is stunningly beautiful music. An avant-garde cello, prehistoric-sounding voices from Sardinia and a singer from Senegal fuse into a hypnotic composition.



**Arts Online**  
For more reviews and openings this weekend, go to [time.com/entertainment](http://time.com/entertainment)





Kurt

# Andersen

## The Avenging Amateur. America is a nation of passionate laymen, and they're our best hope for thriving after the crisis

THE FINANCIAL CRISIS CAME ABOUT BECAUSE WE GOT complacent, depending on all-knowing financial experts—mortgage lenders, Wall Street sharpers, the Federal Reserve—to run our system expertly. But then the experts did the same thing, imagining that they had laid off all their risks on other experts. Until finally the last expert down the line turned out to be just another greater fool, and the system crashed.

We still need experts. But we can no longer abdicate judgment to them or to the system they've cobbled together. This country, after all, was created by passionately engaged amateurs. The American spirit really is the amateur spirit. The great mass of European settlers were amateur explorers, and their grandchildren and great-grandchildren who created the U.S. were amateur politicians. "I see democracy," the late historian Daniel Boorstin wrote, as "government by amateurs, as a way of confessing the limits of our knowledge." In the early 19th century, Alexis de Tocqueville approvingly noted the absence of "public careers" in America—that is, the scarcity of professional politicians.

Back then, *amateur* was an entirely positive adjective. An amateur pursuit meant something that one pursued—a field of study, an artistic enterprise, a craft—not unseriously, but out of love rather than merely to earn a living.

Amateurs do the things they want to do in the ways they want to do them. They don't worry too much about breaking rules and aren't paralyzed by a fear of imperfection or even failure. Active citizenship is all about tapping into one's amateur spirit. "But hold on," you say. "I will never understand credit-default swaps or know how to determine the correct leverage ratio for banks." Me neither, and I don't want to depend on an amateur physician telling me how to manage my health. But we can trust our reality-based hunches about fishy-looking procedures and unsustainable projects and demand that the supposed experts explain their supposed expertise in ways we do understand.

The American character is two-sided to an extreme and paradoxical degree. On the one hand, we are sober and practical and commonsensical, but on the other hand, we are wild and crazy speculators. The full-blown

amateur spirit derives from this same paradox. Even as we indulge our native chutzpah—Live the dream! To hell with the naysayers!—as a practical matter, it also requires a profound humility, since the amateur must throw himself into situations where he's uncertain and even ignorant, and therefore obliged to figure out new ways of seeing problems and fresh ways of solving them. At this particular American inflection point, after the crash and before the rebuild, frankly admitting that we aren't absolutely certain how to proceed is liberating,

and crucial. I like paradoxes, which is why, even though I'm not particularly religious, Zen Buddhism has always appealed to me. Take the paradoxical state that Buddhists seek to achieve, what they call *sho-shin*, or "beginner's mind." The 20th century Japanese Zen master Shunryu Suzuki, who spent the last dozen years of his life in America, famously wrote that "in the beginner's mind there are many possibilities, but in the expert's mind there are few." Which sounds to me very much like the core of Boorstin's amateur spirit. "The greatest

obstacle to discovery is not ignorance," Boorstin wrote, "but the illusion of knowledge."

This isn't just airy-fairy philosophy: it's real, and it works. A decade after Steve Jobs co-founded Apple, he was purged by his own board, but after the sense of betrayal passed, and he went on to build Pixar and oversee Apple's glorious renewal, he realized his personal reset had been a blessing in disguise. "The heaviness of being successful," Jobs has said of his firing, "was replaced by the lightness of being a beginner again, less sure about everything. It freed me to enter one of the most creative periods of my life." I happen to know what Jobs means: my sacking as editor of *New York* magazine 13 years ago freed me to reinvent myself as a novelist and public-radio host. Getting fired was traumatic. Finding my way since has been thrilling and immensely gratifying. May America and Americans have such good luck figuring out how to climb out of the holes we find ourselves in now. ■

*Andersen is the author of Reset: How This Crisis Can Restore Our Values and Renew America, which originated as a TIME cover story*





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